FEDERAL REGISTER

VOLUME 31 • NUMBER 60

Tuesday, March 29, 1966 • Washington, D.C.

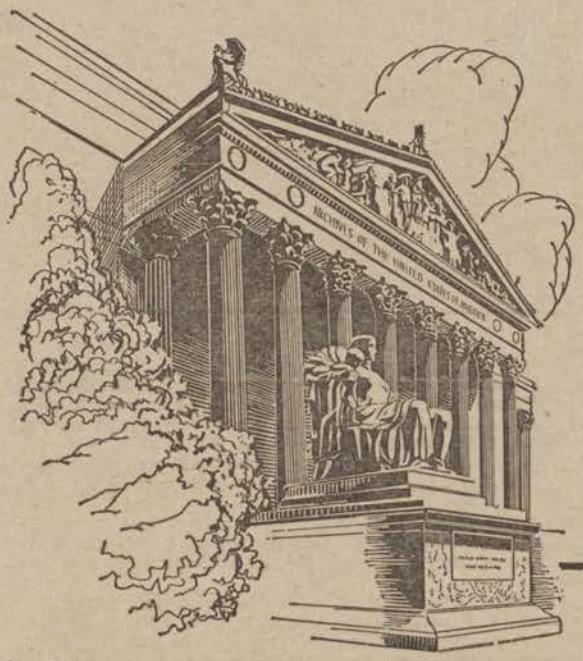
Pages 5039–5109

PART I

(Part II begins on page 5103)

Agencies in this issue—

Detailed list of Contents appears inside.



FEDERAL REGISTER

Area Code 202 Phone 963-3261

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address National Archives Building, Washington, D.C. 20408), pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies varies in proportion to the size of the issue (15 cents for the first 80 pages and 5 cents for each additional group of 40 pages, as actually bound). Remit check or money order, made payable to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

Contents

(*Continued on next page*).

List of CFR Parts Affected

(Codification Guide)

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1966, and specifies how they are affected.

5 CFR

213 (2 documents) 5043

7 CFR

778 5043
910 5043
1130 (2 documents) 5044, 5045

PROPOSED RULES:
52 5074
319 5074
910 5074

9 CFR

73 5053

10 CFR

PROPOSED RULES:
Ch. I 5075
70 5075
150 5075

12 CFR

545 (2 documents) 5053, 5054

14 CFR

1 5054
71 (14 documents) 5055–5058
73 (2 documents) 5057
75 (3 documents) 5058
95 5058
97 5059
199 5104

PROPOSED RULES:
61 5076
71 (5 documents) 5077, 5078
75 5078
91 5076
121 5076

16 CFR

15 (2 documents) 5069
75 5069

17 CFR

1 5054

21 CFR

8 (2 documents) 5069, 5070
281 5071

28 CFR

0 (2 documents) 5071

32A CFR

OIA (Ch. X):
OI Reg 1 5071

36 CFR

251 5072

41 CFR

101–44 5043

47 CFR

PROPOSED RULES:
73 5078

50 CFR

250 5072

Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

National Foundation on the Arts and the Humanities

Section 213.3182 is amended to show that the title of the position of Director of Education and Government Liaison has been changed to Director of Educational Programs. Effective on publication in the FEDERAL REGISTER, subparagraph (4) of paragraph (a) of § 213.3182 is amended as set out below.

§ 213.3182 National Foundation on the Arts and the Humanities.

(a) *National Endowment for the Arts.* * * *

(4) Director of Educational Programs.

* * * * *

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66-3290; Filed, Mar. 28, 1966; 8:48 a.m.]

PART 213—EXCEPTED SERVICE

Department of Justice

Section 213.3310 is amended to show that the positions of Confidential Secretaries to the Assistant Deputy Attorney General for Legal Administration and the Assistant Deputy Attorney General for Litigation are excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, subparagraphs (7) and (8) are added to paragraph (b) of § 213.3310 as set out below.

§ 213.3310 Department of Justice.

* * * * *

(b) *Office of the Deputy Attorney General.* * * *

(7) One Confidential Secretary to the Assistant Deputy Attorney General for Legal Administration.

(8) One Confidential Secretary to the Assistant Deputy Attorney General for Litigation.

* * * * *

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66-3289; Filed, Mar. 28, 1966; 8:48 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 101—Federal Property Management Regulations

SUBCHAPTER H—UTILIZATION AND DISPOSAL

PART 101-44—DONATION OF PERSONAL PROPERTY

Subpart 101-44.2—Definition of Terms

PUBLIC BODY

Section 101-44.201-14 is revised to read as follows:

§ 101-44.201-14 Public body.

Any State, Territory, or possession of the United States, any political subdivision thereof, the District of Columbia, the Commonwealth of Puerto Rico, any agency or instrumentality of any of the foregoing, any Indian tribe, or any agency of the Federal Government.

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))

Effective date. This amendment is effective April 1, 1966.

Dated: March 21, 1966.

LAWSON B. KNOTT, Jr.,
Administrator of General Services.

[F.R. Doc. 66-3304; Filed, Mar. 28, 1966; 8:50 a.m.]

Title 7—AGRICULTURE

Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture

SUBCHAPTER C—SPECIAL PROGRAMS

[Amdt. 4]

PART 778—EXPORT WHEAT MARKETING CERTIFICATE REGULATIONS

Failure To Export

Correction

In F.R. Doc. 66-2941, appearing at page 4722 of the issue for Saturday, March 19, 1966, the following correction is made in the matter following § 778.7a(i)(2): In the proviso, the phrase reading "to the satisfaction of CCC" should read "to the satisfaction of the Director."

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

[Lemon Reg. 206, Amdt. 1]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and this amendment relieves restriction on the handling of lemons grown in California and Arizona.

(b) *Order, as amended.* The provisions in paragraph (b)(1) (i) and (ii) of § 910.506 (Lemon Regulation 206, 31 F.R. 4727) are hereby amended to read as follows:

§ 910.506 Lemon Regulation 206.

* * * * *

(b) *Order.* (1) * * *

(i) District 1: 9,300 cartons;

(ii) District 2: 232,500 cartons.

* * * * *

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: March 24, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-3299; Filed, Mar. 28, 1966; 8:49 a.m.]

Chapter X—Consumer and Marketing Service (Marketing Agreements and Orders; Milk), Department of Agriculture

[Milk Order No. 130]

PART 1130—MILK IN CORPUS CHRISTI, TEX., MARKETING AREA

Order Amending Order

§ 1130.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of the said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Corpus Christi, Tex., marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than April 1, 1966. Any delay beyond that date would tend to disrupt the orderly marketing of milk in the marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Deputy Administrator, Regulatory Programs, was issued December 16, 1965, and the decision of the Under Secretary containing all amendment provisions of this order was issued February 24, 1966. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective April 1, 1966, and that it would be contrary to the public interest to delay the effective date of this amendment for 30 days after its publication in the FEDERAL REGISTER. (Sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001–1011)

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as hereby amended; and

(3) The issuance of the order amending the order is approved or favored by at least three-fourths of the producers who participated in a referendum and who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Corpus Christi, Tex., marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, as follows:

1. Section 1130.14 is revised to read as follows:

§ 1130.14 Market equalization plant.

"Market equalization plant" means a plant, other than a distributing plant, operated by a cooperative association performing marketing services pursuant to § 1130.84(b) which plant is approved by a duly constituted health authority for the receipt and disposition of Grade A milk and at which all fluid milk products received are as diversions pursuant to § 1130.16 or as transfers from fluid milk plants, except as follows:

(a) During any month of August through January such plant may also receive other source fluid milk products from any nonfluid milk plant in an amount not in excess of an average of 5,000 pounds per day, computed on a milk equivalent basis of 3.5 percent butterfat content; and

(b) Such plant may receive milk from dairy farmers who are not producers for transfer to a nonfluid milk plant in an amount which does not exceed 50 percent of the total receipts of milk at such plant during the month.

2. In § 1130.41, paragraph (a)(1) is revised, subparagraphs (6) and (7) in paragraph (b) are redesignated as subparagraphs (7) and (8), respectively, and a new paragraph (b)(6) is added as follows:

§ 1130.41 Classes of utilization.

* * * * *

(a) * * *

(1) Disposed of in the form of fluid milk products, except as provided in paragraphs (b) (2), (5), and (6) of this section; and

* * * * *

(b) * * *

(6) In fluid milk products disposed of in bulk to a commercial food processing establishment for use in food products processed for consumption off the premises;

* * * * *

3. In § 1130.44, the reference "§ 1130.46(a)(8)" in paragraph (a)(1) is revised to read "§ 1130.46(a)(7)", the reference "§ 1130.46(a) (7) or (8)" in paragraph (a)(3) is revised to read "§ 1130.46(a)(7)", and paragraph (e) is revised to read as follows:

§ 1130.44 Transfers.

* * * * *

(e) Pro rata to each class (and within Class II pro rata to cottage cheese use and to other uses) in accordance with the total utilization of milk received at the market equalization plant, exclusive of the utilization of milk received pursuant to § 1130.14(b), when transferred or diverted in the form of milk, skim milk or cream to such plant from a fluid milk plant or by a cooperative association in its capacity as a handler pursuant to § 1130.8(c); and

* * * * *

4. In § 1130.51(a) the colon preceding the proviso is deleted and a semicolon is substituted therefor, the text of the proviso is revoked, and a new paragraph (b) is added as follows:

§ 1130.51 Location differential to handlers.

* * * * *

(b) For purposes of calculating such adjustment in the case of a handler operating two or more fluid milk plants, transfers from one such plant to another such plant shall be assigned at the transferor plant to Class I milk if in packaged form but if in bulk form shall be assigned to Class I milk only to the extent that Class I disposition at the transferee plant (less transfers at Class I from fluid milk plants of other handlers and transfers in packaged form from other fluid milk plants of the same handler) exceeds 95 percent of receipts at such transferee plant from producers and a cooperative association in its capacity as a handler. Such assignment to transferor plants shall be made first to transferor plants at which no adjustment credit applies and then in sequence at which the lowest location adjustment credit would apply.

5. Section 1130.54 is deleted and a new § 1130.54 is added as follows:

§ 1130.54 Charge on skim milk used to produce cottage cheese.

(a) Skim milk in fluid milk products used to produce cottage cheese at a fluid milk plant, or transferred or diverted from a fluid milk plant, or transferred from a market equalization plant (exclusive of transfers of milk received at such plant pursuant to § 1130.14(b)), to a nonfluid milk plant and there used to produce cottage cheese shall be subject to an additional charge of 25 cents per hundredweight to the extent indicated in paragraph (c) of this section.

(b) For purposes of computing a cottage cheese charge, such skim milk transferred or diverted to a nonfluid milk plant shall be considered as having been utilized for cottage cheese only to the extent to which Class II utilization of such skim milk, as assigned pursuant to § 1130.44(d), exceeds other Class II utilization in such plant.

(c) Any charge on skim milk used to produce cottage cheese for which a handler operating a fluid milk plant is obligated shall be assigned to the handler's obligation for producer milk to the extent of the quantity of producer skim milk which was assigned to the handler's Class II utilization, and any remainder of such charge shall be assigned to the handler's obligation to a cooperative association pursuant to § 1130.73 to the extent of the quantity of skim milk received from the cooperative association which was assigned to the handler's Class II utilization.

6. Section 1130.70(d) is revised to read as follows:

§ 1130.70 Obligation of a handler for producer milk.

* * * * *

(d) Add the amount of any charge on producer skim milk computed for such handler pursuant to § 1130.54(c); and

* * * * *

7. Section 1130.73(d) is revised to read as follows:

§ 1130.73 Obligation of a handler for milk received from a cooperative association.

* * * * *

(d) Add the amount of any charge on skim milk computed for such handler pursuant to § 1130.54(c) with respect to skim milk received from a cooperative association;

* * * * *

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

The amendments prescribed by this order have been incorporated in a republication of Part 1130 which is set forth below.

Effective date. April 1, 1966.

Signed at Washington, D.C., on March 23, 1966.

GEORGE L. MEHREN,
Assistant Secretary.

PART 1130—MILK IN THE CORPUS CHRISTI, TEXAS, MARKETING AREA

Subpart—Order Regulating Handling

DEFINITIONS

AUTHORITY: The provisions of this Part 1130 issued under sec. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674.

DEFINITIONS

§ 1130.1 Act.

"Act" means Public Act No. 10, 73d Congress, as amended, and as re-enacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

§ 1130.2 Secretary.

"Secretary" means the Secretary of Agriculture of the United States or any other officer or employee of the United States authorized to exercise the powers or to perform the duties of the said Secretary of Agriculture.

§ 1130.3 Department of Agriculture.

"Department of Agriculture" means the United States Department of Agriculture or any other Federal agency authorized to perform the price reporting functions specified in this part.

§ 1130.4 Person.

"Person" means any individual, partnership, corporation, association, or other business unit.

§ 1130.5 Cooperative association.

"Cooperative association" means any cooperative marketing association which the Secretary determines, after application by the association:

(a) To be qualified under the provisions of the Act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act";

(b) To have full authority in the sale of milk of its members; and

(c) To be engaged in making collective sales of or marketing milk or its products for its members.

§ 1130.6 Corpus Christi, Texas, marketing area.

"Corpus Christi, Texas, marketing area," called the "marketing area" in this part means all the territory within the counties of Brooks, Cameron, Duval, Hidalgo, Jim Wells, Kleberg, Live Oak, Nueces, and San Patricio, all in the State of Texas.

§ 1130.7 Producer.

"Producer" means any person, other than a producer-handler as defined in any order (including this part) issued pursuant to the Act, or any person with respect to milk produced by him which is subject to the pricing and payment provisions of another order issued pursuant to the Act, who produces milk in compliance with the Grade A inspection requirements of a duly constituted health authority, which milk is received at a fluid milk plant or by a cooperative association pursuant to § 1130.8(d) or is di-

verted to a nonfluid milk plant in accordance with the provisions of § 1130.16.

§ 1130.8 Handler.

"Handler" means:

(a) Any person in his capacity as the operator of a fluid milk plant(s);

(b) Any person who operates a partially regulated distributing plant;

(c) A cooperative association with respect to milk of its member producers diverted for the account of such association from a fluid milk plant to a nonfluid milk plant;

(d) A cooperative association with respect to the milk of any member producer which it causes to be delivered from the farm to the fluid milk plant(s) of another handler in a tank truck owned and operated by or under contract to such cooperative association for the account of the cooperative association, unless the association notifies the market administrator and the operator of the fluid milk plant in writing prior to the time of delivery that the transferee handler is to be the responsible handler of such milk; and

(e) A cooperative association in its capacity as the operator of a "market equalization plant".

(f) A producer-handler, or any person who operates an other order plant.

§ 1130.9 Producer-handler.

"Producer-handler" means any person who:

(a) Operates a dairy farm and a distributing plant;

(b) Receives no milk from other dairy farmers; and

(c) Provides proof satisfactory to the market administrator that the maintenance, care and management of the dairy animals and other resources necessary to produce the milk and the processing, packaging and distribution of the milk are the personal enterprise and the personal risk of such person.

§ 1130.10 Plant.

"Plant" means the land, buildings, together with the surroundings, facilities and equipment, whether owned or operated by one or more persons constituting a single operating unit or establishment at which milk or milk products are received and/or processed or packaged.

§ 1130.11 Distributing plant.

"Distributing plant" means a plant from which Grade A fluid milk products are disposed of during the month on a route(s) in the marketing area.

§ 1130.12 Supply plant.

"Supply plant" means a plant, other than a distributing plant or a market equalization plant, from which fluid milk products meeting the Grade A inspection requirement of a duly constituted health authority are moved to and received at a distributing plant or a market equalization plant during the month.

§ 1130.13 Fluid milk plant.

"Fluid milk plant" means:

(a) A distributing plant from which Class I milk equal to more than three percent of Grade A milk and skim milk received from dairy farmers, from cooperative associations in their capacity as handlers pursuant to § 1130.8(d) and other plants, or an average of 1,000 pounds of Class I milk per day, whichever is less, is disposed of during the month in the marketing area on route(s); or

(b) A supply plant from which milk, skim milk, or cream approved by a duly constituted health authority for disposition under a Grade A label, is transferred to and received at a plant(s) qualified pursuant to paragraph (a) of this section or a market equalization plant, in any amount during any month of February through July, or in an amount in excess of an average of 5,000 pounds per day, computed on a milk equivalent basis of 3.5 percent butterfat content, during any month of August through January.

§ 1130.14 Market equalization plant.

"Market equalization plant" means a plant, other than a distributing plant, operated by a cooperative association performing marketing services pursuant to § 1130.84(b) which plant is approved by a duly constituted health authority for the receipt and disposition of Grade A milk and at which all fluid milk products received are as diversions pursuant to § 1130.16 or as transfers from fluid milk plants, except as follows:

(a) During any month of August through January such plant may also receive other source fluid milk products from any nonfluid milk plant in an amount not in excess of an average of 5,000 pounds per day, computed on a milk equivalent basis of 3.5 percent butterfat content; and

(b) Such plant may receive milk from dairy farmers who are not producers for transfer to a nonfluid milk plant in an amount which does not exceed 50 percent of the total receipts of milk at such plant during the month.

§ 1130.15 Nonfluid milk plant.

"Nonfluid milk plant" means a market equalization plant and any milk receiving, manufacturing or processing plant other than a fluid milk plant. The following categories of nonfluid milk plants are further defined as follows:

(a) "Other order plant" means a plant that is fully subject to the pricing and pooling provisions of another order issued pursuant to the Act.

(b) "Producer-handler plant" means a plant operated by a producer-handler as defined in any order (including this part) issued pursuant to the Act.

(c) "Partially regulated distributing plant" means a nonfluid milk plant that is neither an other order plant nor a producer-handler plant, from which fluid milk products labeled Grade A in consumer-type packages or dispenser units are distributed on routes in the marketing area during the month.

(d) "Unregulated supply plant" means a nonfluid milk plant other than a market equalization plant from which fluid milk products eligible for distribution as Grade A milk in the marketing area are moved to a fluid milk plant or to a market equalization plant during the month, but which is neither an other order plant nor a producer-handler plant.

§ 1130.16 Producer milk.

"Producer milk" means all skim milk and butterfat in milk which is:

(a) Received at a fluid milk plant directly from producers;

(b) Received at a fluid milk plant by a cooperative association in its capacity as a handler pursuant to § 1130.8(d); or

(c) Diverted by the operator of a fluid milk plant or by a cooperative association subject to the conditions of subparagraphs (1) or (2) of this paragraph: *Provided*, That milk so diverted shall be considered to have been received at a fluid milk plant at the location of the fluid milk plant from which diverted:

(1) During March through July the milk of any producer may be diverted from a fluid milk plant to a nonfluid milk plant on any number of days during the month; or

(2) During August through February the milk of any producer may be diverted from a fluid milk plant to a nonfluid milk plant not to exceed 25 days' production of such producer during the month.

§ 1130.17 Other source milk.

"Other source milk" means all skim milk and butterfat contained in:

(a) Receipts during the month of fluid milk products except:

(1) Fluid milk products received from other fluid milk plants (other than that of a producer-handler) or from a market equalization plant;

(2) Producer milk;

(3) Milk received from a cooperative association in its capacity as a handler pursuant to § 1130.8(d);

(4) Inventory of fluid milk products on hand at the beginning of the month; and

(b) Products other than fluid milk products, from any source (including those processed at the plant), which are reprocessed or converted to another product in the plant during the month or for which other utilization or disposition is not established.

§ 1130.18 Fluid milk product.

"Fluid milk product" means all skim milk (including reconstituted skim milk) and butterfat disposed of in fluid form as milk, skim milk, buttermilk, flavored milk drinks, cream, cultured sour cream and sour cream products labeled Grade A, and any mixture of cream and milk or skim milk (other than frozen cream, aerated cream products, eggnog, ice cream, ice cream mix or other frozen mixes, evaporated or condensed milk and milk products contained in hermetically sealed containers): *Provided*, That when nonfat milk solids are added for "fortification", the amount of skim milk to be included within this definition shall

be only that amount equal to the weight of skim milk in an equal volume of an unmodified product of the same nature and butterfat content.

§ 1130.19 Route.

"Route" means any delivery of a fluid milk product from a plant to wholesale or retail outlets (including any disposition from a plant store or by a vendor) other than a delivery to another plant.

§ 1130.20 Chicago butter price.

"Chicago butter price" means the simple average, as computed by the market administrator, of the daily wholesale selling prices (using the midpoint of any price range as one price) per pound of 92-score bulk creamery butter at Chicago as reported during the month by the Department of Agriculture.

MARKET ADMINISTRATOR

§ 1130.25 Designation.

The agency for the administration of this part shall be a market administrator, selected by the Secretary, who shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion of the Secretary.

§ 1130.26 Powers.

The market administrator shall have the following powers with respect to this part:

(a) To administer its terms and provisions;

(b) To receive, investigate, and report to the Secretary complaints of violations;

(c) To make rules and regulations to effectuate its terms and provisions; and

(d) To recommend to the Secretary amendments to this part.

§ 1130.27 Duties.

The market administrator shall perform all duties necessary to administer the terms and provisions of this part, including but not limited to the following:

(a) Within 45 days following the date on which he enters upon his duties or such lesser period as may be prescribed by the Secretary, execute and deliver to the Secretary a bond, effective as of the date on which he enters upon such duties and conditioned upon the faithful performance of such duties in an amount and with surety thereon satisfactory to the Secretary;

(b) Employ and fix the compensation of such persons as may be necessary to enable him to administer its terms and provisions;

(c) Obtain a bond in a reasonable amount and with reasonable surety thereon covering each employee who handles funds entrusted to the market administrator;

(d) Pay out of the funds provided by § 1130.85 the cost of his bond and of the bonds of his employees, his own compensation, and all other expenses (except those incurred under § 1130.84) necessarily incurred by him in the maintenance and functioning of his office and in the performance of his duties;

(e) Keep such books and records as will clearly reflect the transactions provided for in this part, and upon request by the Secretary, surrender the same to such other person as the Secretary may designate;

(f) Submit his books and records to examination by the Secretary and furnish such information and reports as may be requested by the Secretary;

(g) Verify all reports and payments of each handler by audit of such handler's records and the records of any other handler or person upon whose disposition of milk such handler claims classification of skim milk and butterfat and by such investigation as the market administrator deems necessary;

(h) Publicly announce at his discretion, unless otherwise directed by the Secretary, by posting in a conspicuous place in his office and by such other means as he deems appropriate, the name of any person who, after the date upon which he is required to perform such acts, has not made reports pursuant to §§ 1130.30 to 1130.32, inclusive, or payments pursuant to §§ 1130.80 to 1130.83, inclusive;

(i) Publicly announce, by posting in a conspicuous place in his office and by such other means as he deems appropriate and notify each handler in writing:

(1) On or before the 6th day of each month, the minimum price for Class I milk computed pursuant to § 1130.50(a), and the Class I milk butterfat differential computed pursuant to § 1130.52(a) both for the current month, and the minimum price for Class II milk computed pursuant to § 1130.50(b) and the butterfat differential for Class II milk computed pursuant to § 1130.52(b), both for the previous month; and

(2) On or before the 12th day after the end of each month the uniform price for each handler computed pursuant to § 1130.72 and the butterfat differential computed pursuant to § 1130.81;

(j) On or before the 12th day after the end of each month, mail to each handler at his last known address, a statement showing for such handler the amount and value of producer milk in each class and the totals thereof; and

(k) Prepare and make available for the benefit of producers, consumers, and handlers such general statistics and such information concerning the operations hereof as are necessary and essential to the proper functioning of this part.

(l) Report to the market administrator of the other order, as soon as possible after the report of receipts and utilization for the month is received from a handler who has received fluid milk products from an other order plant, the classification to which such receipts are allocated pursuant to § 1130.46 pursuant to such report, and thereafter any change in such allocation required to correct errors disclosed in verification of such report; and

(m) Furnish to each handler who operates either a fluid milk plant or a market equalization plant (including a cooperative association in its capacity as a handler pursuant to § 1130.8(d)) and who has shipped fluid milk products to an other order plant, the classification to which the skim milk and butterfat in such fluid milk products were allocated by the market administrator of the other order on the basis of the report of the receiving handler; and, as necessary, any changes in such classification arising in the verification of such report.

REPORTS, RECORDS AND FACILITIES

§ 1130.30 Reports of receipts and utilization.

On or before the 8th day after the end of each month, each handler, except a producer-handler and a handler pursuant to § 1130.61, for each of his fluid milk plants and each cooperative association with respect to milk for which it is a handler pursuant to § 1130.8 (c) or (d), shall report for such month to the market administrator in detail and on forms prescribed by the market administrator as follows:

(a) The quantities of skim milk and butterfat contained in receipts of producer milk;

(b) The quantities of skim milk and butterfat contained in fluid milk products received from other fluid milk plants, from cooperative associations which are handlers pursuant to § 1130.8 (d) and from a market equalization plant;

(c) The quantities of skim milk and butterfat in receipts of other source milk;

(d) The inventories of fluid milk products on hand at the beginning and end of the month;

(e) The utilization of skim milk and butterfat required to be reported pursuant to this section including a statement of the disposition of fluid milk products; outside the marketing area; and

(f) Such other information with respect to receipts and utilization as the market administrator may prescribe.

§ 1130.31 Payroll reports.

On or before the 20th day of each month each handler (other than a producer handler and a handler pursuant to § 1130.61) who is the operator of a fluid milk plant and each cooperative association with respect to milk for which it is the handler pursuant to § 1130.8 (c) or (d), shall submit to the market administrator his producer payroll for deliveries of milk for the preceding month which shall show for each producer:

(a) The name and, if not previously reported, the address;

(b) The total pounds and the average butterfat tests of milk received; and

(c) Net amount of such handler's payment together with the price(s) paid and the nature and amount of any deductions.

§ 1130.32 Other reports.

(a) Each producer-handler and each cooperative association in its capacity as the operator of a market equalization plant shall make reports to the market administrator at such time and in such

manner as the market administrator shall request;

(b) Each handler specified in § 1130.8(b) who operates a partially regulated distributing plant shall report as required in § 1130.30, except that receipts in Grade A milk from dairy farmers shall be reported in lieu of those in producer milk; and

(c) Each handler who causes milk to be diverted for his account directly from producers' farms to a nonfluid milk plant (other than a market equalization plant) shall, prior to such diversion, report to the market administrator and to the cooperative association of which such producer is a member his intention to divert such milk, the proposed date or dates of such diversion, and the plant to which such milk is to be diverted.

§ 1130.33 Records and facilities.

Each handler shall maintain and make available to the market administrator or to his representative during the usual hours of business such accounts and records of his operations and such facilities as are necessary for the market administrator to verify or establish the correct data with respect to:

(a) The receipts and utilization of all skim milk and butterfat handled in any form;

(b) The weights and tests for butterfat and other content of all milk, skim milk, cream and other milk products handled;

(c) The pounds of skim milk and butterfat contained in or represented by all milk, skim milk, cream and milk products on hand at the beginning and end of each month; and

(d) Payments to producers and cooperative associations including any deductions authorized by producers and disbursement of money so deducted.

§ 1130.34 Retention of records.

All books and records required under this part to be made available to the market administrator shall be retained by the handler for a period of three years to begin at the end of the month to which such books and records pertain: *Provided,* That if, within such three-year period, the market administrator notifies the handler in writing that the retention of such books and records, or of specified books and records, is necessary in connection with a proceeding under section 8c(15)(A) of the Act or a court action specified in such notice the handler shall retain such books and records, until further written notification from the market administrator. In either case, the market administrator shall give further written notification to the handler promptly upon the termination of the litigation or when the records are no longer necessary in connection therewith.

CLASSIFICATION

§ 1130.40 Skim milk and butterfat to be classified.

All skim milk and butterfat which is required to be reported for the month pursuant to §§ 1130.30 or 1130.32(a) shall be classified by the market administrator pursuant to the provisions of §§ 1130.41 through 1130.46.

§ 1130.41 Classes of utilization.

Subject to the conditions set forth in §§ 1130.42 through 1130.46, the classes of utilization shall be as follows:

(a) *Class I milk.* Class I milk shall be all skim milk and butterfat:

(1) Disposed of in the form of fluid milk products, except as provided in paragraphs (b) (2), (5), and (6) of this section; and

(2) Not accounted for as Class II milk; and

(b) *Class II milk.* Class II milk shall be all skim milk and butterfat:

(1) Used to produce any product other than a fluid milk product;

(2) Disposed of and used for livestock feed;

(3) Contained in inventory of fluid milk products on hand at the end of the month;

(4) In skim milk contained in any fortified fluid milk product in excess of the pounds of skim milk in such product classified as Class I milk pursuant to paragraph (a)(1) of this section;

(5) In skim milk dumped after prior notification to, and opportunity for verification by the market administrator;

(6) In fluid milk products disposed of in bulk to a commercial food processing establishment for use in food products processed for consumption off the premises;

(7) In shrinkage of skim milk and butterfat, respectively, assigned pursuant to § 1130.42(b)(1), but not to exceed the amounts calculated for each fluid milk plant and for each cooperative association in its capacity as a handler pursuant to § 1130.8(d) as follows:

(i) Two percent of milk received directly from producers; plus

(ii) One and one-half percent of receipts of fluid milk products in bulk from an other order plant, exclusive of the quantity for which Class II utilization was requested by the operator of such plant and the handler; plus

(iii) One and one-half percent of receipts of fluid milk products in bulk from unregulated supply plants, exclusive of the quanity for which Class II utilization was requested by the handler; plus

(iv) One and one-half percent of receipts from a handler pursuant to § 1130.8(d), except that, if the handler operating the fluid milk plant files with the market administrator notice that he is purchasing such milk on the basis of farm weights determined by bulk tank calibrations, the applicable percentage shall be 2 percent; plus

(v) One and one-half percent of bulk receipts of fluid milk products from a market equalization plant and from other fluid milk plants; less

(vi) One and one-half percent of bulk transfers of fluid milk products to other plants, except in the case of a cooperative association the applicable percentage shall be 2 percent if the handler operating a fluid milk plant exercises the exception provided in subdivision (iv) of this subparagraph; and

(8) In shrinkage of skim milk and butterfat, respectively, assigned pursuant to § 1130.42(b)(2).

§ 1130.42 Shrinkage.

The market administrator shall assign shrinkage at the fluid milk plant(s) of each handler as follows:

(a) Compute the total shrinkage of skim milk and butterfat, respectively, for such plant; and

(b) Prorate the resulting amounts between the receipts of skim milk and butterfat contained in:

(1) Items specified in § 1130.41(b)(6)(i) through (v); and

(2) Remaining receipts of other source milk in the form of fluid milk products.

§ 1130.43 Responsibility of handlers and reclassification of milk.

(a) All skim milk and butterfat shall be Class I milk unless the handler who first receives such skim milk or butterfat establishes to the satisfaction of the market administrator that such skim milk or butterfat should be classified as Class II milk; and

(b) Any skim milk or butterfat shall be reclassified if verification by the market administrator discloses that the original classification was incorrect.

§ 1130.44 Transfers.

Skim milk or butterfat in the form of a fluid milk product shall be classified:

(a) At the utilization indicated by the operators of both plants, otherwise as Class I milk, if transferred from a fluid milk plant pursuant to § 1130.13(a), a market equalization plant, or by a cooperative association in its capacity as a handler pursuant to § 1130.8(d) to the fluid milk plant of another handler subject to the following conditions:

(1) The skim milk or butterfat so assigned to either class shall be limited to the amount thereof remaining in such class in the transferee plant after computations pursuant to § 1130.46(a)(7) and the corresponding step of § 1130.46(b);

(2) If the transferor plant received during the month other source milk to be allocated pursuant to § 1130.46(a)(3) and the corresponding step of § 1130.46(b), the skim milk and butterfat so transferred shall be classified so as to allocate the least possible Class I utilization to such other source milk; and

(3) If the transferor handler received during the month other source milk to be allocated pursuant to § 1130.46(a)(7) and the corresponding steps of § 1130.46(b), the skim milk and butterfat so transferred up to the total of such receipts shall not be classified as Class I milk to a greater extent than would be applicable to a like quantity of such other source milk received at the transferee plant;

(b) In accordance with the provisions of paragraph (a) of this section if transferred in the form of a fluid milk product from a fluid milk plant pursuant to § 1130.13(b) to a fluid milk plant pursuant to § 1130.13(a): *Provided,* That

the percentage of such skim milk and butterfat, respectively, classified as Class I milk shall not exceed the percentage of skim milk and butterfat, respectively, in producer milk of the transferee handler classified as Class I milk;

(c) As Class I milk, if transferred from a fluid milk plant, a cooperative association as a handler pursuant to § 1130.8(d), or a market equalization plant to the plant of a producer-handler;

(d) As Class I milk, if transferred or diverted in bulk to a nonfluid milk plant that is neither an other order plant nor a producer-handler plant, unless the requirements of subparagraphs (1) and (2) of this paragraph are met, in which case the skim milk and butterfat so transferred or diverted shall be classified in accordance with the assignment resulting from subparagraph (3) of this paragraph:

(1) The transferring or diverting handler claims classification pursuant to the assignment set forth in subparagraph (3) of this paragraph in his report submitted to the market administrator pursuant to § 1130.30 for the month within which such transaction occurred;

(2) The operator of such nonfluid milk plant maintains books and records showing the utilization of all skim milk and butterfat received at such plant which are made available if requested by the market administrator for the purpose of verification; and

(3) The skim milk and butterfat so transferred shall be classified on the basis of the following assignment of utilization at such nonfluid milk plant in excess of receipts of packaged fluid milk products from all fluid milk plants and other order plants:

(i) Any Class I utilization disposed of on routes in the marketing area shall be first assigned to the skim milk and butterfat in the fluid milk products so transferred or diverted from fluid milk plants, next pro rata to receipts from other order plants and thereafter to receipts from dairy farmers who the market administrator determines constitute regular sources of supply of Grade A milk for such nonfluid milk plant;

(ii) Any Class I utilization disposed of on routes in the marketing area of another order issued pursuant to the Act shall be first assigned to receipts from plants fully regulated by such order, next pro rata to receipts from other order plants not regulated by such order, and thereafter to receipts from dairy farmers who the market administrator determines constitute regular sources of supply for such nonfluid milk plant;

(iii) Class I utilization in excess of that assigned pursuant to subdivisions (i) and (ii) of this subparagraph shall be assigned first to remaining receipts from dairy farmers who the market administrator determines constitute the regular source of supply for such nonfluid milk plant and Class I utilization in excess of such receipts shall be assigned pro rata to unassigned receipts at such nonfluid milk plant from all fluid milk plants and other order plants; and

(iv) To the extent that Class I utilization is not so assigned to it, the skim milk and butterfat so transferred shall be classified as Class II milk;

(e) Pro rata to each class (and within Class II pro rata to cottage cheese use and to other uses) in accordance with the total utilization of milk received at the market equalization plant, exclusive of the utilization of milk received pursuant to § 1130.14(b), when transferred or diverted in the form of milk, skim milk or cream to such plant from a fluid milk plant or by a cooperative association in its capacity as a handler pursuant to § 1130.8(c); and

(f) As follows, if transferred to an other order plant in excess of receipts from such plant in the same category as described in subparagraph (1), (2) or (3) of this paragraph:

(1) If transferred in packaged form, classification shall be in the classes to which allocated as a fluid milk product under the other order;

(2) If transferred in bulk form, classification shall be in the classes to which allocated as a fluid milk product under the other order (including allocation under the conditions set forth in subparagraph (3) of this paragraph);

(3) If the operators of both the transferor and transferee plants so request in the reports of receipts and utilization filed with their respective market administrators, transfers in bulk form shall be classified as Class II to the extent of the Class II utilization (or comparable utilization under such other order) available for such assignment pursuant to the allocation provisions of the transferee order;

(4) If information concerning the classification to which allocated under the other order is not available to the market administrator for purposes of establishing classification pursuant to this paragraph, classification shall be as Class I, subject to adjustment when such information is available;

(5) For purposes of this paragraph, if the transferee order provides for more than two classes of utilization, milk allocated to a class consisting primarily of fluid milk products shall be classified as Class I, and milk allocated to other classes shall be classified as Class II; and

(6) If the form in which any fluid milk product is transferred to an other order plant is not defined as a fluid milk product under such other order, classification shall be in accordance with the provisions of § 1130.41.

§ 1130.45 Computation of the skim milk and butterfat in each class.

For each month the market administrator shall correct for mathematical and other obvious errors the reports submitted by each handler pursuant to this part and shall compute the total pounds of skim milk and butterfat, respectively, in each class at each fluid milk plant of such handler and for a cooperative association in its capacity as a handler pursuant to § 1130.8 (c) and (d): *Provided,* That if any of the water contained in the milk from which a product is made is removed before the product is utilized or disposed of by a handler, the pounds of skim milk disposed of in such product shall be considered to be an amount equivalent to the nonfat milk solids contained in such product plus all of the water originally associated with such solids.

§ 1130.46 Allocation of skim milk and butterfat classified.

After making the computations pursuant to § 1130.45, the market administrator shall determine the classification of producer milk for each handler as follows:

(a) Skim milk shall be allocated in the following manner:

(1) Subtract from the total pounds of skim milk in Class II the pounds of skim milk classified as Class II pursuant to § 1130.41(b)(6);

(2) Subtract from the remaining pounds of skim milk in each class the pounds of skim milk in fluid milk products received in packaged form from other order plants as follows:

(i) From Class II milk, the lesser of the pounds remaining or two percent of such receipts; and

(ii) From Class I milk, the remainder of such receipts;

(3) Subtract in the order specified below from the pounds of skim milk remaining in each class, in series beginning with Class II, the pounds of skim milk in each of the following:

(i) Other source milk in a form other than that of a fluid milk product;

(ii) Receipts of fluid milk products for which Grade A certification is not established, or which are from unidentified sources; and

(iii) Receipts of fluid milk products from a producer-handler, as defined under this or any other Federal order;

(4) Subtract, in the order specified below, from the pounds of skim milk remaining in Class II but not in excess of such quantity:

(i) Receipts of fluid milk products from an unregulated supply plant:

(*a*) For which the handler requests Class II utilization; or

(*b*) Which are in excess of the pounds of skim milk determined by multiplying the pounds of skim milk remaining in Class I milk by 1.25 and subtracting the sum of the pounds of skim milk in producer milk, receipts from fluid milk plants of other handlers, receipts from a cooperative association in its capacity as a handler pursuant to § 1130.8(d) and receipts in bulk from other order plants; and

(ii) Receipts of fluid milk products in bulk from an other order plant in excess of similar transfers to such plant, if Class II utilization was requested by the operator of such plant and the handler;

(5) Subtract from the pounds of skim milk remaining in each class, in series beginning with Class II, the pounds of skim milk in inventory of fluid milk products on hand at the beginning of the month;

(6) Add to the remaining pounds of skim milk in Class II milk the pounds subtracted pursuant to subparagraph (1) of this paragraph;

(7) Subtract from the pounds of skim milk remaining in each class, pro rata to such quantities, the pounds of skim milk in each of the following:

(i) Receipts of fluid milk products from unregulated supply plants that were not subtracted pursuant to paragraph (4)(i) of this paragraph;

(ii) Receipts of fluid milk products in bulk from other order plants that were not subtracted pursuant to paragraph (4)(ii) of this paragraph;

(8) Subtract from the pounds of skim milk remaining in each class the pounds of skim milk received in fluid milk products from fluid milk plants of other handlers and from handlers pursuant to § 1130.8(d) or as an operator of a market equalization plant according to the classification assigned pursuant to § 1130.44(a);

(9) If the pounds of skim milk remaining in both classes exceed the pounds of skim milk in producer milk, subtract such excess from the pounds of skim milk remaining in each class in series beginning with Class II. Any amount so subtracted shall be known as "overage" and for purposes of computing the handler's obligation pursuant to §§ 1130.70 and 1130.73 shall be prorated to producer milk and receipts from a cooperative association in its capacity as a handler pursuant to § 1130.8(d).

(b) Butterfat shall be allocated in accordance with the procedure outlined for skim milk in paragraph (a) of this section;

(c) Combine the amounts of skim milk and butterfat determined pursuant to paragraphs (a) and (b) of this section into one total for each class and determine the weighted average butterfat content of producer milk in each class.

Minimum Prices

§ 1130.50 Class prices.

Subject to the provisions of §§ 1130.51 and 1130.52, the minimum prices per hundredweight during the month shall be as follows:

(a) *Class I milk price.* The Class I milk price shall be the price for Class I milk established under Part 1126 (North Texas) of this chapter plus 75 cents.

(b) *Class II milk price.* The Class II milk price shall be the price computed pursuant to subparagraph (1) of this paragraph except that for the months of March, April, May, and June, 12 cents shall be deducted from such price:

(1) The sum of the plus values of subdivisions (i) and (ii) of this subparagraph, less five times the butterfat differential computed pursuant to § 1130.52(b):

(i) Subtract three cents from the Chicago butter price, add 20 percent thereof, and multiply by 4.0; and

(ii) From the weighted average of carlot prices per pound for nonfat dry milk, spray process, for human consumption, f.o.b. manufacturing plants in the Chicago area, as published for the period from the 26th day of the preceding month through the 25th day of the current month by the Department of Agriculture deduct 5.5 cents and multiply by 8.16.

§ 1130.51 Location differential to handlers.

(a) For milk which is received from producers or a cooperative association at a fluid milk plant located more than 80 miles, but not more than 150 miles from the City Hall in Mercedes, Texas, by the shortest hard-surfaced highway distance as determined by the market administrator, and which is classified as Class I milk, the price specified in § 1130.50(a) shall be reduced 9 cents per hundredweight and for milk which is received from producers or a cooperative association at a fluid milk plant located more than 150 miles from the City Hall in Mercedes, Texas, by the shortest hard-surfaced highway distance as determined by the market administrator, and which is classified as Class I milk, the price specified in § 1130.50(a) shall be reduced one cent per hundredweight for each ten miles distance or fraction thereof that such plant is from the City Hall in Mercedes, Texas.

(b) For purposes of calculating such adjustment in the case of a handler operating two or more fluid milk plants, transfers from one such plant to another such plant shall be assigned at the transferor plant to Class I milk if in packaged form but if in bulk form shall be assigned to Class I milk only to the extent that Class I disposition at the transferee plant (less transfers at Class I from fluid milk plants of other handlers and transfers in packaged form from other fluid milk plants of the same handler) exceeds 95 percent of receipts at such transferee plant from producers and a cooperative association in its capacity as a handler. Such assignment to transferor plants shall be made first to transferor plants at which no adjustment credit applies and then in sequence at which the lowest location adjustment credit would apply.

§ 1130.52 Butterfat differential to handlers.

For milk containing more or less than 3.5 percent butterfat, the class prices pursuant to § 1130.50 shall be increased or decreased, respectively, for each one-tenth of one percent butterfat by the rate, rounded in each case to the nearest one-tenth cent, determined as follows:

(a) *Class I milk.* Multiply the Chicago butter price for the preceding month by 0.120; and

(b) *Class II milk.* Multiply the Chicago butter price for the current month by 0.110.

§ 1130.53 Equivalent prices.

If for any reason, a price quotation required by this order for computing class prices or for any other purpose is not available in the manner described, the market administrator shall use a price determined by the Secretary to be equivalent to the price which is required.

§ 1130.54 Charge on skim milk used to produce cottage cheese.

(a) Skim milk in fluid milk products used to produce cottage cheese at a fluid milk plant, or transferred or diverted from a fluid milk plant, or transferred from a market equalization plant (exclusive of transfers of milk received at such plant pursuant to § 1130.14(b)), to a nonfluid milk plant and there used to produce cottage cheese shall be subject to an additional charge of 25 cents per hundredweight to the extent indicated in paragraph (c) of this section.

(b) For purposes of computing a cottage cheese charge, such skim milk transferred or diverted to a nonfluid milk plant shall be considered as having been utilized for cottage cheese only to the extent to which Class II utilization of such skim milk, as assigned pursuant to § 1130.44(d), exceeds other Class II utilization in such plant.

(c) Any charge on skim milk used to produce cottage cheese for which a handler operating a fluid milk plant is obligated shall be assigned to the handler's obligation for producer milk to the extent of the quantity of producer skim milk which was assigned to the handler's Class II utilization, and any remainder of such charge shall be assigned to the handler's obligation to a cooperative association pursuant to § 1130.73 to the extent of the quantity of skim milk received from the cooperative association which was assigned to the handler's Class II utilization.

Application of Provisions

§ 1130.60 Producer-handler.

Sections 1130.42 through 1130.46, 1130.50 through 1130.54, 1130.70 through 1130.72, and 1130.80 through 1130.86 shall not apply to a producer-handler.

§ 1130.61 Plants subject to other Federal orders.

The provisions of this part shall not apply with respect to the operation of any plant specified in paragraph (a), (b) or (c) of this section except that the operator thereof shall, with respect to total receipts of skim milk and butterfat at such plant, make reports to the market administrator at such time and in such manner as the market administrator may require and allow verification of such reports by the market administrator:

(a) A fluid milk plant pursuant to § 1130.13(a) which also meets the pooling requirements of another Federal order and from which, the Secretary determines, a greater quantity of Class I milk is disposed of during the month on routes in such other Federal order marketing area than was disposed of on routes in the Corpus Christi, Texas, marketing area:

(b) A fluid milk plant pursuant to § 1130.13(a) which also meets the pooling requirements of another Federal order and from which, the Secretary determines, a greater quantity of Class I milk is disposed of during the month

on routes in the Corpus Christi, Texas, marketing area than is disposed of on routes in such other Federal order marketing area, but which plant is, nevertheless, fully regulated under such other Federal order; and

(c) A fluid milk plant pursuant to § 1130.13(b) which:

(1) Meets the pooling requirements of another Federal order and from which greater qualifying shipments are made during the month to plants regulated under such other order than are made to plants regulated under this order; or

(2) Retains automatic pooling status under another Federal order.

DETERMINATION OF UNIFORM PRICE

§ 1130.70 Obligation of a handler for producer milk.

The net obligation of each handler for producer milk received by such handler during each month shall be a sum of money computed by the market administrator as follows:

(a) Multiply the pounds of such milk in each class by the applicable class price and add together the resulting amounts;

(b) Add an amount computed by multiplying the pounds of overage assigned to producer milk and deducted from each class pursuant to § 1130.46(a)(9) and the corresponding step of § 1130.46(b) by the applicable class price;

(c) Add an amount computed as follows:

(1) Multiply the difference between the Class II price for the preceding month and the Class I price for the current month by the lesser of:

(i) The hundredweight of skim milk and butterfat subtracted from Class I pursuant to § 1130.46(a)(5) and the corresponding step of § 1130.46(b); or

(ii) The hundredweight of skim milk and butterfat remaining in Class II (exclusive of shrinkage) after computations pursuant to § 1130.46(a)(7)(i) and the corresponding step of § 1130.46(b) for the preceding month;

(2) Prorate the value computed pursuant to subparagraph (1) of this paragraph in the ratio that the values of each of the following bear to the sum of their values:

(i) Producer milk (exclusive of shrinkage) classified as Class II in the preceding month; and

(ii) Milk received in the preceding month from a coopertative association in its capacity as a handler pursuant to § 1130.8(d) and as the operator of a market equalization plant and classified as Class II milk (exclusive of shrinkage); and

(3) The amount to be added shall be that assigned pursuant to subparagraph (2)(i) of this paragraph;

(d) Add the amount of any charge on producer skim milk computed for such handler pursuant to § 1130.54(c); and

(e) Add or subtract, as the case may be, an amount necessary to correct errors discovered by the market administrator in the verification of reports of such hanlder of his receipts and utilization of producer milk for previous months.

§ 1130.71 Computation of aggregate value used to determine uniform prices.

For each month the market administrator shall compute an aggregate value for each handler from which to determine the uniform price per hundredweight for producer milk of 3.5 percent butterfat content as follows:

(a) Add or subtract from the amount computed pursuant to § 1130.70 for each one-tenth percent that the average butterfat content of producer milk received by such handler is less or more, respectively, than 3.5 percent, an amount computed by multiplying such difference by the butterfat differential to producers, as determined pursuant to § 1130.81 and multiplying the result by the total hundredweight of producer milk;

(b) Add the aggregate value of the location differentials to be deducted from payments to producers pursuant to § 1130.82; and

(c) Add the amount represented by any deductions made for eliminating fractions of a cent in computing the uniform price for such handler for the preceding month.

§ 1130.72 Computation of uniform price for each handler.

The market administrator shall compute a uniform price for producer milk received by each handler as follows: Divide the aggregate value computed pursuant to § 1130.71 by the total hundredweight of producer milk received by such handler. The result, less any fraction of a cent, shall be known as the uniform price for such handler for milk of 3.5 percent butterfat content, at his fluid milk plant(s).

§ 1130.73 Obligation of a handler for milk received from a cooperative association.

The obligation of each handler for milk received from a cooperative association in its capacity as a handler pursuant to § 1130.8(d) or as the operator of a market equalization plant shall be a sum of money computed by the market administrator as follows:

(a) Multiply the pounds of skim milk and butterfat so received from such cooperative association by the applicable class prices in accordance with the classification of such milk pursuant to § 1130.44(a);

(b) Add the amount computed by multiplying the pounds of overage assigned to such milk pursuant to § 1130.46(a)(9) and the corresponding step of § 1130.46(b) by the applicable class prices;

(c) Add the amount assigned pursuant to § 1130.70(c)(2)(ii);

(d) Add the amount of any charge on skim milk computed for such handler pursuant to § 1130.54(c) with respect to skim milk received from a cooperative association;

(e) Deduct an amount computed by multiplying by the applicable class price the pounds of skim milk and butterfat in each class transferred or diverted by such handler to a market equalization plant operated by such cooperative association; and

(f) Add or subtract, as the case may be, an amount necessary to correct errors discovered by the market administrator in the verification of reports of such handler of his receipts and utilization of milk received from a cooperative association in its capacity as a handler pursuant to § 1130.8(d) and as the operator of a market equalization plant.

PAYMENTS

§ 1130.80 Payments to producers and to cooperative associations.

(a) Except as provided in paragraph (b) of this section, each handler shall make payment to each producer for milk received from such producer as follows:

(1) On or before the 28th day of each month, for milk received during the first 15 days of the month at not less than the Class II milk price for the preceding month;

(2) On or before the 15th day after the end of each month, for milk received during such month, an amount computed at not less than the uniform price computed pursuant to § 1130.72 subject to the butterfat differential computed pursuant to § 1130.81 and the location differential computed pursuant to § 1130.82, plus or minus adjustments for errors made in previous payments to such producers, and less:

(i) Payments made pursuant to paragraph (a) of this section;

(ii) Marketing service deductions pursuant to § 1130.84; and

(iii) Proper deductions authorized by such producer;

(b)(1) Upon receipt of a written request from a cooperative association, which the market administrator determines is authorized by its members to collect payment for their milk, and receipt of a written promise to reimburse the handler the amount of any actual loss incurred by him because of any improper claim on the part of the cooperative association each handler shall pay to the cooperative association on or before the 26th and 13th days of each month in lieu of payments pursuant to paragraph (a)(1) and (2), respectively, of this section an amount equal to the sum of the individual payments otherwise payable to such producers. The foregoing payment shall be made with respect to milk of each producer whom the cooperative association certifies is a member effective on and after the first day of the calendar month next following receipt of such certification through the last day of the month next preceding receipt of notice from the cooperative association of a termination of membership or until the original request is rescinded in writing by the cooperative association;

(2) A copy of each such request, promise to reimburse and certified list of members shall be filed simultaneously with the market administrator by the cooperative association and shall be subject to verification at his discretion, through audit of the records of the co-

operative association pertaining thereto. Exceptions, if any, to the accuracy of such certification by a producer claimed to be a member, or by a handler, shall be made by written notice to the market administrator and shall be subject to his determination;

(c) In making the payments pursuant to paragraphs (a)(2) and (b) of this section, each handler shall furnish each producer or cooperative association from whom he has received milk with a supporting statement which shall show for each month:

(1) The month and the identity of the handler and of the producer;

(2) The total pounds and the average butterfat content of milk received from such producer;

(3) The minimum rate or rates at which payment to such producer is required pursuant to this part;

(4) The rate which is used in making the payment if such rate is other than the applicable minimum rate;

(5) The amount or the rate per hundredweight and nature of each deduction claimed by the handler; and

(6) The net amount of payment to such producer; and

(d) Each handler shall make payment to a cooperative association with respect to receipts of milk from such cooperative association in its capacity as a handler pursuant to § 1130.8(d) or as an operator of a market equalization plant as follows:

(1) On or before the 26th day of the month, for milk received during the first 15 days of the month an amount per hundredweight not less than the Class II milk price for the preceding month; and

(2) On or before the 13th day after the end of each month not less than the obligation computed for such handler pursuant to § 1130.73, less the amount of payment made pursuant to subparagraph (1) of this paragraph.

§ 1130.81 Butterfat differential to producers.

The applicable uniform prices to be paid pursuant to § 1130.80 to producers delivering milk to each handler shall be increased or decreased for each one-tenth of one percent which the butterfat content of his milk is above or below 3.5 percent, respectively, by a butterfat differential equal to the average of the butterfat differentials determined pursuant to paragraphs (a) and (b) of § 1130.52, weighted by the pounds of butterfat in producer milk in each class and the result rounded to the nearest tenth of a cent.

§ 1130.82 Location differential to producers.

In making payments for milk pursuant to § 1130.80 a handler may deduct from the uniform price computed pursuant to § 1130.72 the rates specified in § 1130.51 applicable to the location of the fluid milk plant at which such milk was received or deemed to have been received.

§ 1130.83 Adjustment of accounts.

Whenever audit by the market administrator of any handler's reports, books, records, or accounts, or verification of weights and butterfat tests of milk or milk products discloses errors resulting in money due a producer, a cooperative association or the market administrator from such handler or due such handler from the market administrator, the market administrator shall notify such handler of any amount so due, and payment thereof shall be made on or before the next date for making payments, as set forth in the provisions under which such error occurred.

§ 1130.84 Marketing services.

(a) Except as set forth in paragraph (b) of this section, each handler, in making payments to producers for milk (other than milk of his own production) pursuant to § 1130.80, shall deduct 6 cents per hundredweight, or such amount not exceeding 6 cents per hundredweight, as may be prescribed by the Secretary, and shall pay such deductions to the market administrator on or before the 15th day after the end of the month. Such money shall be used by the market administrator to provide market information and to check the accuracy of the testing and weighing of milk from producers who are not receiving such service from a cooperative association; and

(b) In the case of producers who are members of a cooperative association which the Secretary has determined is actually performing the services set forth in paragraph (a) of this section, each handler shall make, in lieu of the deduction specified in paragraph (a) of this section, such deductions from the payments to be made to such producers as may be authorized by the membership agreement or marketing contract between such cooperative association and such producers, and on or before the 15th day after the end of each month and pay such deductions to the cooperative association of which such producers are members, furnishing a statement showing the amount of any such deductions and the amount of milk for which such deduction was computed for each producer.

§ 1130.85 Expense of administration.

As his pro rata share of the expense of administration of the order, each handler except a cooperative association in its capacity as a handler pursuant to § 1130.8(d) shall pay to the market administrator on or before the 15th day after the end of the month five cents per hundred weight or such lesser amount as the Secretary may prescribe, with respect to (a) producer milk (including such handler's own production) and receipts from a cooperative association in its capacity as a handler pursuant to § 1130.8(d), (b) other source milk allocated to Class I pursuant to § 1130.46(a)(3) and (7)(i) and the corresponding steps of § 1130.46(b); and (c) Class I milk disposed of from a partially regulated distributing plant on routes in the marketing area that exceeds Class I milk received during the month at such plant from fluid milk plants and other order plants.

§ 1130.86 Termination of obligations.

The provisions of this section shall apply to any obligation under this part for the payment of money.

(a) The obligation of any handler to pay money required to be paid under the terms of this part shall, except as provided in paragraphs (b) and (c) of this section, terminate two years after the last day of the calendar month during which the market administrator receives the handler's utilization report on the milk involved in such obligation unless within such two-year period the market administrator notifies the handler in writing that such money is due and payable. Service of such notice shall be complete upon mailing to the handler's last known address, and it shall contain, but need not be limited to, the following information:

(1) The amount of the obligation;

(2) The month(s) during which the milk with respect to which the obligation exists was received or handled, and

(3) If the obligation is payable to one or more producers or to an association of producers, the name of such producer(s) or association of producers, or if the obligation is payable to the market administrator, the account for which it is to be paid.

(b) If a handler fails or refuses, with respect to any obligation under this part, to make available to the market administrator or his representatives all books and records required by this part to be made available the market administrator may, within the two-year period provided for in paragraph (a) of this section, notify the handler in writing of such failure or refusal. If the market administrator so notifies a handler, the said two-year period with respect to such obligation shall not begin to run until the first day of the calendar month following the month during which all such books and records pertaining to such obligation are made available to the market administrator or his representatives.

(c) Notwithstanding the provisions of paragraphs (a) and (b) of this section, a handler's obligation under this part to pay money shall not be terminated with respect to any transaction involving fraud or willful concealment of a fact, material to the obligation, on the part of the handler against whom the obligation is sought to be imposed.

(d) Any obligation on the part of the market administrator to pay a handler any money which such handler claims to be due him under the terms of this part shall terminate two years after the end of the calendar month during which the milk involved in the claim was received if an underpayment is claimed, or two years after the end of the calendar month during which the payment (including deduction or set off by the market administrator) was made by the handler if a refund on such payment is claimed, unless such handler within the applicable period of time, files pursuant

to section 8c(15)(A) of the Act a petition claiming such money.

EFFECTIVE TIME, SUSPENSION OR TERMINATION

§ 1130.90 Effective time.

The provisions of this part or any amendment to this part shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated pursuant to § 1130.91.

§ 1130.91 Suspension or termination.

The Secretary may suspend or terminate this part or any provisions of this part whenever he finds this part or any provision of this part obstructs or does not tend to effectuate the declared policy of the Act. This part shall terminate in any event whenever the provisions of the Act authorizing it cease to be in effect.

§ 1130.92 Continuing obligations.

If, upon the suspension or termination of any or all provisions of this part, there are obligations thereunder, the final accrual or ascertainment of which requires further acts by any person (including the market administrator), such further acts shall be performed notwithstanding such suspension or termination.

§ 1130.93 Liquidation.

Upon the suspension or termination of the provisions of this part, except this section, the market administrator, or such liquidating agent as the Secretary may designate, shall, if so directed by the Secretary, liquidate the business of the market administrator's office, dispose of all property in his possession or control, including accounts receivable, and execute and deliver all assignment or other instruments necessary or appropriate to effectuate any such disposition. If a liquidating agent is so designated, all assets, books and records of the market administrator shall be transferred promptly to such liquidating agent. If, upon such liquidation, the funds on hand exceed the amounts required to pay outstanding obligations of the office of the market administrator and to pay necessary expenses of liquidating and distribution, such excess shall be distributed to contributing handlers and producers in an equitable manner.

MISCELLANEOUS PROVISIONS

§ 1130.100 Agents.

The Secretary may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions of this part.

§ 1130.101 Separability of provisions.

If any provision of this part or its application to any person or circumstances is held invalid the application of such provision and of the remaining provisions of this part, to other persons or circumstances, shall not be affected thereby.

[F.R. Doc. 66-3305; Filed, Mar. 28, 1966; 8:50 a.m.]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS AND POULTRY

PART 73—SCABIES IN CATTLE

Areas Quarantined Because of Scabies

Pursuant to sections 1 and 3 of the Act of March 3, 1905, 33 Stat. 1264–1265, as amended, sections 4 and 5 of the Act of May 29, 1884, 23 Stat. 32, as amended, sections 1 and 2 of the Act of February 2, 1903, 32 Stat. 791–792, as amended, and sections 2 and 11 of the Act of July 2, 1962, 76 Stat. 129, 132 (21 U.S.C. 111–113, 120, 121, 123, 125, 134b, 134f), the provisions in Part 73, Title 9, Code of Federal Regulations, as amended, are hereby further amended by changing § 73.1a to read as follows:

§ 73.1a Notice of quarantine.

Notice is hereby given that cattle in certain portions of the States of California and Texas are affected with scabies, a contagious, infectious, and communicable disease; and, therefore, the following areas in such States are hereby quarantined because of said disease:

(a) California: Merced County.

(b) Texas: Briscoe, Castro, Floyd, Hale, Lamb, Motely, Randall, and Swisher Counties.

Effective date. The foregoing amendment shall become effective upon publication in the FEDERAL REGISTER.

Hereafter, the restrictions pertaining to the interstate movement of cattle from and through quarantined areas as contained in 9 CFR Part 73, as amended, will apply to the quarantined areas designated herein.

The amendment imposes certain restrictions necessary to prevent the spread of scabies, a communicable disease of cattle, and must be made effective immediately to accomplish its purpose in the public interest. Accordingly, under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found upon good cause that notice and other public procedure with respect to the foregoing amendment are impracticable and contrary to the public interest and good cause is found for making the amendment effective less than 30 days after publication in the FEDERAL REGISTER.

(Secs. 1, 3, 33 Stat. 1264–1265, as amended, secs. 4, 5, 23 Stat. 32, as amended, secs. 1, 2, 32 Stat. 791–792, as amended, secs. 2, 11, 76 Stat. 129, 132; 21 U.S.C. 111–113, 120, 121, 123, 125, 134b, 134f; interpret or apply secs. 2, 4, 33 Stat. 1264–1265, as amended, secs. 6, 7, 23 Stat. 32, as amended; 21 U.S.C. 115, 117, 124, 126; 29 F.R. 16210, as amended, 30 F.R. 5801)

Done at Washington, D.C., this 24th day of March 1966.

R. J. ANDERSON,
Deputy Administrator,
Agricultural Research Service.

[F.R. Doc. 66-3335; Filed, Mar. 28, 1966; 8:51 a.m.]

Title 12—BANKS AND BANKING

Chapter V—Federal Home Loan Bank Board

SUBCHAPTER C—FEDERAL SAVINGS AND LOAN SYSTEM

[No. 19,789]

PART 545—OPERATIONS

Bonus Accounts

MARCH 23, 1966.

Resolved that the Federal Home Loan Bank Board, upon the basis of consideration by it of the advisability of amendment of § 545.3 of the rules and regulations for the Federal Savings and Loan System (12 CFR 545.3) as hereinafter set forth, and for the purpose of effecting such amendment, hereby amends said § 545.3, as follows, effective April 1, 1966.

The introductory text of paragraph (b) of § 545.3, aforesaid, is hereby amended to read as follows:

§ 545.3 Bonus on monthly-payment and fixed-balance accounts.

* * * * *

(b) *Fixed-balance accounts.* The board of directors of a Federal association which has a charter in a form which is not inconsistent with the provisions of this section and which has bylaws that include the provisions of paragraph (e) of § 544.6 of this chapter may determine that, in addition to other earnings distributed on savings accounts, such association shall distribute a bonus on each savings account that is evidenced by a certificate in the form hereinafter prescribed, and that, at the date as of which such bonus is distributed, has been maintained continuously for a period of not less than 36 months at a balance of $1,000 or a multiple of $1,000; such bonus shall be at a rate not in excess of one-half percent per annum on the amount that has been maintained continuously in such savings account during such period of 36 months and shall be computed as of the same date and for the same period as are other earnings for distribution, and such bonus and other earnings distributed on such savings account shall be paid to the holder thereof or credited to another savings account in the name of such holder: *Provided,* That—

* * * * *

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

Resolved further that, as the foregoing amendment is designed to permit Federal savings and loan associations to adjust their operations as of the beginning of the next quarterly dividend period to changed economic conditions emerging during the current quarterly period, the Board hereby finds that notice and public procedure on the said amendment are impracticable under the provisions of § 508.12 of the general regulations of the Federal Home Loan Bank Board (12

CFR 508.12) and section 4(a) of the Administrative Procedure Act.

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN, *Secretary.*

[F.R. Doc. 66-3323; Filed, Mar. 28, 1966; 8:51 a.m.]

[No. 19,790]

PART 545—OPERATIONS

Distribution of Earnings at Variable Rates

MARCH 23, 1966.

Resolved that the Federal Home Loan Bank Board, upon the basis of consideration by it of the advisability of amendment of § 545.3–1 of the rules and regulations for the Federal Savings and Loan System (12 CFR 545.3–1) as hereinafter set forth, and for the purpose of effecting such amendment, hereby amends said § 545.3–1, as follows, effective April 1, 1966.

Subparagraph (2) of paragraph (b) and paragraph (g) of § 545.3–1, aforesaid, are hereby amended to read as follows:

§ 545.3–1 Distribution of earnings at variable rates.

* * * * *

(b) *Eligibility requirements.* * * *

(2) *Accounts evidenced by separate certificates.* A savings account which is evidenced by a separate certificate as provided in paragraph (c) of this section, issued and dated on or after the date of such resolution, may receive earnings on the amount of such certificate at a rate higher than the regular rate, but not in excess of

(i) 4¾ percent per annum if such account is maintained at not less than $1,000 for a continuous period of not less than 12 months commencing on the date of such certificate; and

(ii) 5 percent per annum if such account is maintained at not less than $2,500 for a continuous period of not less than 6 months, commencing on the date of such certificate, and, unless otherwise approved by the Board, in a Federal association which, as of December 31, 1965, distributed earnings on its savings accounts at a per annum rate of 4¾ percent or more. No such certificate shall be issued pursuant to subdivision (i) of this subparagraph (2) for any amount that is not an integral multiple of $1,000, and no certificate evidencing a savings account which may receive earnings pursuant to subdivision (ii) of this subparagraph (2) shall be issued for a lesser amount than $2,500. If such savings account is evidenced by more than one separate certificate, the provisions of this subparagraph (2) shall be as fully applicable to each such certificate as if each such certificate evidenced a separate savings account.

* * * * *

(g) *Exception.* No Federal association may make or provide for any distribution of earnings pursuant to this section at any time unless its regular rate is less than 5 percent per annum.

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

Resolved further that, as the foregoing amendment is designed to permit Federal savings and loan associations to adjust their operations as of the beginning of the next quarterly dividend period to changed economic conditions emerging during the current quarterly period, the Board hereby finds that notice and public procedure on the said amendment are impracticable under the provisions of § 508.12 of the general regulations of the Federal Home Loan Bank Board (12 CFR 508.12) and section 4(a) of the Administrative Procedure Act.

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN, *Secretary.*

[F.R. Doc. 66-3324; Filed, Mar. 28, 1966; 8:51 a.m.]

Title 17—COMMODITY AND SECURITIES EXCHANGES

Chapter I—Commodity Exchange Authority (Including Commodity Exchange Commission), Department of Agriculture

PART 1—GENERAL REGULATIONS UNDER COMMODITY EXCHANGE ACT

Execution of Transactions

By virtue of the authority vested in the Secretary of Agriculture by section 8(a)(5) of the Commodity Exchange Act, as amended (7 U.S.C. 12(a)(5)), paragraph (a) of § 1.38 of the regulations under said act relating to the execution of transactions (17 CFR 1.38(a)) is hereby amended by deleting from said paragraph the words "as to price" following the phrase "openly and competitively" and by adding the word "noncompetitively" after the word "executed" in the proviso. As so amended, paragraph (a) of § 1.38 reads as follows:

§ 1.38 Execution of Transactions.

(a) *Competitive execution required; exceptions.* All purchases and sales of any commodity for future delivery on or subject to the rules of a contract market shall be executed openly and competitively by open outcry or posting of bids and offers or by other equally open and competitive methods, in the trading pit or ring or similar place provided by the contract market, during the regular hours prescribed by the contract market for trading in such commodity: *Provided, however,* That this requirement shall not apply to such transactions as are executed noncompetitively in accordance with written rules of the contract market which have been submitted to and not disapproved by the Secretary of Agriculture, specifically providing for the noncompetitive execution of such transactions.

* * * * *

(Sec. 8a, 49 Stat. 1500, as amended; 7 U.S.C. 12a; 29 F.R. 16210, as amended)

The purpose of this amendment is to clarify the regulation. The amendment does not impose any additional requirements or change the present requirements under the regulation. Therefore, under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found upon good cause that notice and other public procedure on the amendment are unnecessary, and good cause is found for making the amendment effective less than 30 days after publication in the FEDERAL REGISTER.

This amendment shall become effective upon publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 24th day of March 1966.

GEORGE L. MEHREN, *Assistant Secretary.*

[F.R. Doc. 66-3337; Filed, Mar. 28, 1966; 8:51 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER A—DEFINITIONS

[Docket No. 7245; Amdt. 1–10]

PART 1—DEFINITIONS AND ABBREVIATIONS

Limitation of Applicability to "Federal Aviation Regulations"

By separate rulemaking action this Agency is adding to its published and codified regulations a new Subchapter O—Employee Conduct. However, the new subchapter is not part of the "Federal Aviation Regulations" which are contained in Subchapters A through K of this chapter and constitute a closely knit system, essentially of safety rules that resulted from the recent Recodification of the Civil Air Regulations and other related regulatory material. The definitions in this part apply only to the Federal Aviation Regulations and not to Subchapter O. Accordingly, it is necessary to make this clear in this part.

This action is taken under the authority of section 313(a) of the Federal Aviation Act of 1958, as amended, 49 U.S.C. 1354. Since this amendment merely adapts the regulation to the situation

created by other rulemaking action, notice and public procedure thereon are unnecessary and this amendment may be made effective less than 30 days after publication.

In consideration of the foregoing, Part 1 of the Federal Aviation Regulations, 14 CFR Part 1, is hereby amended, effective upon publication in the FEDERAL REGISTER:

1. By amending the introductory phrase of § 1.1 *General definitions* to read: "As used in Subchapters A through K of this chapter:";

2. By amending the introductory phrase of § 1.2 *Abbreviations and symbols* to read: "In Subchapters A through K of this chapter:"; and

3. By amending § 1.3 *Rules of construction:*

(a) By amending the introductory phrase of paragraph (a) to read "In Subchapters A through K of this chapter, unless the context requires otherwise:"; and

(b) By amending the introductory phrase of paragraph (b) to read "In Subchapters A through K of this chapter, the word:".

Issued in Washington, D.C., on March 23, 1966.

WILLIAM F. MCKEE,
Administrator.

[F.R. Doc. 66-3302; Filed, Mar. 28, 1966; 8:49 a.m.]

SUBCHAPTER E—AIRSPACE

[Airspace Docket No. 64-EA-37]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration and Designation of Control Zones and Transition Areas; Amendment to Final Rule

On pages 3064 and 3065 of the FEDERAL REGISTER dated February 24, 1966, the Federal Aviation Agency published regulations altering the Schenectady, N.Y., control zone.

It has been determined that a minor change is necessary to this control zone by adding a mile to the extension based on the present Glenville RBN 037° bearing. The effective hours of operation of the control zone will also be changed by moving the period ahead 1 hour. Further the Glenville RBN has been renamed the Schenectady RBN. Since these amendments are minor in nature, notice and public procedure hereon are unnecessary and the amendment may be made effective upon publication.

In view of the foregoing, the proposed regulations are hereby adopted effective upon publication in the FEDERAL REGISTER.

1. Under Item 3 in the text of Schenectady, N.Y., control zone, delete the number "6" in the phrase, "6 miles northeast of the RBN" and insert in lieu thereof the number "7".

2. Under Item 3 in the text material, delete the phrase, "0600 to 2200 hours" and insert in lieu thereof, "0700 to 2300 hours".

3. Amend section 71.171 of the Federal Aviation Regulations so as to delete in the text of the Schenectady control zone the word, "Glenville" and insert in lieu thereof the word, "Schenectady".

(Sec. 307(a), Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348))

Issued in Jamaica, N.Y., on March 11, 1966.

WAYNE HENDERSHOT,
Deputy Director, Eastern Region.

[F.R. Doc. 66-3254; Filed, Mar. 28, 1966; 8:45 a.m.]

[Airspace Docket No. 65-CE-152]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Transition Area

On January 19, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 716) stating that the Federal Aviation Agency proposed to alter controlled airspace in the Salem, Ill., terminal area.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., May 26, 1966, as hereinafter set forth.

In § 71.181 (31 F.R. 2149) the following transition area is added:

SALEM, ILL.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Salem-Leckrone Airport (latitude 38°38'40" N., longitude 88°57'50" W.), and within 2 miles each side of the 008° bearing from the Salem-Leckrone Airport extending from the 5-mile radius area to 8 miles N of the airport; and the airspace extending upward from 1,200 feet above the surface within 5 miles west, 8 miles east of the 008° bearing from the Salem-Leckrone Airport extending from the N boundary of V-466 to 12 miles N of the airport.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Kansas City, Mo., on March 15, 1966.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 66-3255; Filed, Mar. 28, 1966; 8:45 a.m.]

[Airspace Docket No. 65-SO-50]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Realignment of Airways and Designation of Reporting Points

On December 21, 1965, a notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 15761) stating that the Federal Aviation Agency was considering amendments to Part 71 of the Federal Aviation Regulations which would realign segments of VOR Federal airways V-7, V-20, V-70, V-222, V-425, and V-454, and would eliminate the Evergreen, Ala., domestic low altitude reporting point and designate the Monroeville, Ala., domestic low altitude reporting point.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. All comments received were favorable.

Subsequent to publication of the notice, it was determined that the 073° True radial of the Monroeville VOR should be designated in lieu of the 074° True radial, in describing V-70 and V-454. This minor adjustment will establish the changeover point midway between Monroeville and Eufaula.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., May 26, 1966, as hereinafter set forth.

1. Section 71.123 (31 F.R. 2009) is amended as follows:

a. In V-7 "INT of Dothan 333° and Montgomery, Ala., 130° radials;" is deleted and "INT of Dothan 333° and Montgomery, Ala., 129° radials;" is substituted therefor.

b. In V-20 all between "Picayune, Miss., and Montgomery, Ala." is deleted and "excluding the airspace between the main and this alternate airway; INT of Mobile 048° and Monroeville, Ala., 231° radials; Monroeville, including an N alternate via the INT of Mobile 033° and Monroeville 250° radials and also an S alternate 6 miles wide via the INT of Mobile 063° and Monroeville 216° radials; Monroeville;" is substituted therefor.

c. In V-70 "Evergreen, Ala.; Eufaula, Ala.;" is deleted and "Monroeville, Ala.; INT Monroeville 073° and Eufaula, Ala., 258° radials; Eufaula;" is substituted therefor.

d. In V-222 all between "Hattiesburg, Miss.; and From Norcross, Ga.," is deleted and "to Monroeville, Ala." is substituted therefor.

e. V-425 is amended to read as follows:

V-425 From Brookley, Ala., to INT Brookley 357° and Mobile, Ala., 048° radials.

f. In V-454 all before "McDonough, Ga.;" is deleted and "From Monroeville, Ala., via the INT of Monroeville 073° and Eufaula, Ala., 258° radials; INT of Eufaula 258° and Columbus, Ga., 219° radials; Columbus;" is substituted therefor.

2. Section 71.203 (31 F.R. 2277) is amended as follows:

a. "Evergreen, Ala." is deleted.

b. "Monroeville, Ala.," is added.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Washington, D.C., on March 21, 1966.

H. B. HELSTROM,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66-3256; Filed, Mar. 28, 1966; 8:45 a.m.]

[Airspace Docket No. 66-WE-1]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Transition Area

On January 22, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 911) stating the Federal Aviation Agency proposed to designate controlled airspace in the Bonneville, Utah, terminal area.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. The one comment received was favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., May 26, 1966, as hereinafter set forth:

In § 71.181 (31 F.R. 2149) the following transition area is added:

BONNEVILLE, UTAH

That airspace SE of Bonneville extending upward from 1,200 feet above the surface bounded by a line extending from latitude 40°30'00" N., longitude 112°30'00" W., to latitude 40°35'00" N., longitude 113°00'00" W., thence via longitude 113°00'00" W., to the S edge of V-32, thence via the S edge of V-32 to longitude 112°56'30" W., thence via longitude 112°56'30" W., to latitude 40°40'00" N., thence to point of beginning; and that airspace extending upward from 8,500 feet AMSL bounded on the S by latitude 40°35'00" N., on the W by longitude 113°51'00" W., on the N by the S edge of V-32 and on the E by longitude 113°00'00" W.

(Sec. 307(a), Federal Aviation Act of 1958, as amended (72 Stat. 749; 49 U.S.C. 1348))

Issued in Los Angeles, Calif., on March 18, 1966.

LEE E. WARREN,
Acting Director, Western Region.

[F.R. Doc. 66-3257; Filed, Mar. 28, 1966; 8:45 a.m.]

[Airspace Docket No. 65-WE-126]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Federal Airways

The purpose of these amendments to Part 71 of the Federal Aviation Regulations is to reduce the width of VOR Federal airways Nos. 8 and 21 northeast of the Ontario, Calif., VORTAC.

At present V-8 and V-21 are standard width between the Ontario and Hector, Calif., VORTAC's. The action taken herein reduces the airways to 3 miles on the southeast side of the centerline from the Ontario VORTAC to 35 miles northeast of the VORTAC. This action will facilitate air traffic control service in that the reduced width airways will permit simultaneous use of the airways and of Standard Instrument Departure Procedures (SID's) from Norton AFB and March AFB, and the Ontario Airport.

Since the alteration accomplished by this action involves a minimum amount of airspace and will promote the safe and efficient utilization of the airspace, the Administrator finds that notice and public procedure hereon are unnecessary.

In consideration of the foregoing, § 71.123 (31 F.R. 2009, 957) is amended, effective 0001 e.s.t., May 26, 1966, as follows:

1. In V-8 "Ontario, Calif.; Hector, Calif.;" is deleted and "Ontario, Calif. (7 miles wide (3 miles SE and 4 miles NW of the centerline) to 35 miles NE of Ontario); Hector, Calif.;" is substituted therefor.

2. In V-21 "Ontario, Calif.; Hector, Calif.;" is deleted and "Ontario, Calif. (7 miles wide (3 miles SE and 4 miles NW of the centerline) to 35 miles NE of Ontario); Hector, Calif.;" is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Washington, D.C., on March 21, 1966.

H. B. HELSTROM,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66-3258; Filed, Mar. 28, 1966; 8:45 a.m.]

[Airspace Docket No. 66-EA-13]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Control Zone

The Federal Aviation Agency is considering amending § 71.171 of Part 71 of the Federal Aviation Regulations which will alter the Hampton Roads, Va. (31 F.R. 2096), and Norfolk, Va. (NAS Norfolk) (31 F.R. 2120), control zones.

These alterations are required by reason of the abandonment of the Walker AAF. In the construction of the control zones there was an exclusion of airspace within 1 mile of the airfield. It is now intended to delete that exclusion.

The inclusion of the heretofore excluded airspace within the control zone is a minor alteration to the control zone. Therefore the Administrator finds that notice and public procedure hereon are unnecessary.

In view of the foregoing, the proposed regulations are hereby adopted effective 0001 e.s.t., April 28, 1966, as follows:

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to alter the Hampton Roads, Va., control zone by deleting the phrase "to 6 miles E of the TACAN, excluding the portion within a 1 mile radius of Walker AAF, Hampton, Va. (latitude 37°00'55" N., longitude 76°18'10" W.)", and insert in lieu thereof, "to 6 miles E of the TACAN."

2. Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to alter the Norfolk, Va. (NAS Norfolk), control zone by deleting the phrase "(Norfolk Municipal), control zone, and excluding the portion within a 1-mile radius of Walker AAF, Hampton, Va. (latitude 37°00'55" N., longitude 76°18'10" W.).", and insert in lieu thereof, "(Norfolk Municipal), control zone."

(Sec. 307(a), Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348)

Issued in Jamaica, N.Y., on March 11, 1966.

WAYNE HENDERSHOT,
Deputy Director, Eastern Region.

[F.R. Doc. 66-3259; Filed, Mar. 28, 1966; 8:45 a.m.]

[Airspace Docket No. 66-EA-15]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Control Zone

The Federal Aviation Agency is considering amending § 71.171 of Part 71 of the Federal Aviation Regulations which would alter the New York, N.Y. (John F. Kennedy International Airport) control zone (31 F.R. 2120).

The Fort Tilden, N.Y. RBN, as of March 3, 1966, has been renamed the Navy, N.Y. RBN. Further, the present NAS New York ADF/VOR instrument approach procedure is predicated on an 182° T bearing from the Fort Tilden RBN outbound. This outbound bearing represents a 3° change from that described in the present control zone description.

Since these amendments are minor in nature, notice and public procedure hereon are unnecessary and because the situation requires immediate action to promulgate the correct course, good cause exists for making this amendment effective upon publication.

In view of the foregoing, the proposed amendments are hereby adopted effective upon publication in the FEDERAL REGISTER as follows:

Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to delete all after the last semicolon in the description of the New York, N.Y. (John F. Kennedy International Airport) control zone and insert in lieu thereof the words, "and within 2 miles each side of the 182° bearing from the Navy N.Y. RBN, extending from the NAS N.Y. 5-mile radius zone to 8 miles S of the RBN."

(Sec. 307(a), Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348))

Issued in Jamaica, N.Y., on March 15, 1966.

WAYNE HENDERSHOT,
Deputy Director, Eastern Region.

[F.R. Doc. 66-3260; Filed, Mar. 28, 1966; 8:46 a.m.]

[Airspace Docket No. 66-EA-18]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Control Zone and Transition Area

The Federal Aviation Agency is considering amending §§ 71.171 and 71.181 of Part 71 of the Federal Aviation Regulations which would alter the Rome, N.Y., control zone (31 F.R. 2131) and the Utica, N.Y., transition area (31 F.R. 2265).

The U.S. Air Force plans to decommission the Griffiss AFB VOR, 112.5 MCS and has canceled instrument arrival procedures predicated on this facility. Since the aforementioned control zone and transition area use the facility as a reference point, their descriptions will require deletions of such reference.

Since these amendments impose no additional burden on any person, notice and public procedure hereon are unnecessary.

In view of the foregoing, the proposed amendments are hereby adopted effective 0001 e.s.t., May 26, 1966 as follows:

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to delete in the text of the Rome, N.Y., control zone description the words, "within 2 miles each side of the Griffiss VOR 137° radial extending from the 5-mile radius zone to the VOR;".

2. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to delete in the description of the Utica, N.Y., transition area the words, "within 2 miles each side of the Griffiss VOR 317° radial extending from the 10 mile radius to 8 miles NW of the VOR;".

(Sec. 307(a), Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348))

Issued in Jamaica, N.Y., on March 15, 1966.

WAYNE HENDERSHOT,
Deputy Director, Eastern Region.

[F.R. Doc. 66-3261; Filed, Mar. 28, 1966; 8:46 a.m.]

[Airspace Docket No. 66-EA-19]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Control Zone

The Federal Aviation Agency is considering amending § 71.171 of Part 71 of the Federal Aviation Regulations so as to alter the Falmouth, Mass., control zone (31 F.R. 2089).

Because of the phase out KC-97 operations out of Otis AFB, control zone extensions based on Runway 5, 14, 23, and 32 may be reduced in length. However, the extension cannot be deleted entirely because of the need in executing radar instrument approaches.

Since this amendment imposes no additional burden on any person, notice and public procedure hereon are unnecessary.

In view of the foregoing, the proposed amendments can be made effective 0001 e.s.t., May 26, 1966, as follows:

Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to alter the description of the Falmouth, Mass., control zone by deleting the words, "9 miles northeast of the lift off end of Runway 5", and insert in lieu thereof, "6 miles NE of the end of Runway 5"; delete "7.5 miles SE of the lift off end of Runway 14" and insert in lieu thereof, "5 miles SE of the end of Runway 14"; delete "8 miles SW of the lift off end of Runway 23" and insert in lieu thereof, "5 miles SW of the end of Runway 23" and delete "8 miles NW of the lift off end of Runway 32" and insert in lieu thereof, "5 miles NW of the end of Runway 32".

(Sec. 307(a), Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348))

Issued in Jamaica, N.Y., on March 15, 1966.

WAYNE HENDERSHOT,
Deputy Director, Eastern Region.

[F.R. Doc. 66-3262; Filed, Mar. 28, 1966; 8:46 a.m.]

[Airspace Docket No. 65-EA-82]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Federal Airways

On December 15, 1965, a notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 15437) stating that the Federal Aviation Agency was considering amendments to Part 71 of the Federal Aviation Regulations that would realign V-72 from Albany, N.Y., to the Hartness, Vt., intersection; realign V-106 from Gardner, Mass., to Kennebunk, Maine; and would designate a new airway from Gardner to Boston, Mass.

The Air Transport Association of America concurred with the proposals. The Department of the Air Force did not object to the proposals. However, they requested that consideration be given to establishment of a minimum en route altitude at least 3,000 feet MSL on the new airway to discourage VFR traffic below that altitude. The Agency has considered the Department of Air Force request and found it impractical as the establishment of minimum en route altitudes are based on height above the surface or availability of navigational signal coverage or a combination of both. In addition, the establishment of a floor of 3,000 feet MSL or higher on this airway would be difficult to depict on aeronautical charts as this segment is within transition areas which have floors of 700 feet and 1,200 feet above the surface.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. Due consideration was given to all comments received.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., May 26, 1966, as hereinafter set forth.

Section 71.123 (31 F.R. 2009) is amended as follows:

a. In V-72 all after "Albany, N.Y.;" is deleted and "Cambridge, N.Y.; to the INT of Cambridge 063° and Keene, N.H., 341° radials." is substituted therefor.

b. In V-106 all after "Gardner, Mass.;" is deleted and "Manchester, N.H.; to Kennebunk, Maine." is substituted therefor.

c. In V-431 "From Keene, N.H.," is deleted and "From Boston, Mass., via INT Boston 015° and Gardner, Mass., 098° radials; to Gardner. From Keene, N.H.," is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Washington, D.C., on March 21, 1966.

H. B. HELSTROM,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66-3263; Filed, Mar. 28, 1966; 8:46 a.m.]

[Airspace Docket No. 66-CE-11]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

PART 73—SPECIAL USE AIRSPACE

Revocation of Restricted Area and Alteration of Federal Airways

The purpose of these amendments to Parts 71 and 73 of the Federal Aviation Regulations is to revoke Restricted Area R-4304, Upper Red Lake, Minn., and delete it from the description of VOR Federal Airway V-171.

Since this amendment will restore airspace to the public use, notice and public procedure are unnecessary and for this reason the amendment may be made effective without regard to the 30-day period preceding effectiveness.

The FAA has been advised by the Department of the Navy that future requirements of NAS Twin Cities do not justify the continued designation of R-4304 as a restricted area.

In consideration of the foregoing, Parts 71 and 73 of the Federal Aviation Regulations are amended, effective upon publication in the FEDERAL REGISTER, as hereinafter set forth.

a. In § 73.43 (31 F.R. 2319), R-4304 Upper Red Lake, Minn., is revoked.

b. In § 71.123 (31 F.R. 2009), V-171 is amended as follows: The last sentence of V-171 is deleted and "The portion outside the United States is excluded." is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Washington, D.C., on March 21, 1966.

WILLIAM E. MORGAN,
Acting Director, Air Traffic Service.

[F.R. Doc. 66-3264; Filed, Mar. 28, 1966; 8:46 a.m.]

[Airspace Docket No. 66-WE-13]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

PART 73—SPECIAL USE AIRSPACE

Revocation of Restricted Area

The purpose of these amendments to Parts 71 and 73 of the Federal Aviation Regulations is to revoke restricted area R-2528, Newman, Calif.

The Federal Aviation Agency has been advised by the Department of the Navy that the Navy no longer needs R-2528. The Army and Air Force concur.

Since this amendment will restore airspace to the public use, notice and public procedure hereon are unnecessary and for this reason the amendment may be-

come effective upon publication in the FEDERAL REGISTER.

In consideration of the foregoing, Parts 71 and 73 of the Federal Aviation Regulations are amended, effective upon publication in the FEDERAL REGISTER, as hereinafter set forth.

1. In § 73.25 (31 F.R. 2299) restricted area R–2528, Newman, Calif., is revoked.

2. In § 71.151 (31 F.R. 2047) delete R–2528 from the continental control area.

3. In § 71.171 (31 F.R. 2065) delete reference to R–2528 from the description of the Crows Landing, Calif., control zone.

4. In § 71.181 (31 F.R. 2149) delete reference to R–2528 from the description of the Crows Landing, Calif., transition area.

5. In § 71.123 (31 F.R. 2009) delete the airspace exclusions from the descriptions of VOR Federal airways V–23W, V–109 and V–113 which were imposed by the designation of R–2528.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Washington, D.C., on March 21, 1966.

WILLIAM E. MORGAN,
Acting Director, Air Traffic Service.

[F.R. Doc. 66–3266; Filed, Mar. 28, 1966; 8:46 a.m.]

[Airspace Docket No. 66–EA–5]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

PART 75—ESTABLISHMENT OF JET ROUTES

Alteration of Federal Airway and Jet Route

The purpose of these amendments to Part 71 and Part 75 of the Federal Aviation Regulations is to realign Jet Route No. 42 between Nashville, Tenn., and Beckley, W. Va., and to eliminate London, Ky., as a high-altitude reporting point.

Agency plans are to downgrade the London VORTAC from an "H" to an "L" facility. The realignment of J–42 here contemplated will result in a direct course between Nashville and Beckley, with reduced mileage, and eliminate navigation via the London VORTAC. The realignment will also increase lateral separation between J–42 and J–6.

Since these amendments are minor in nature and involve only slight adjustments, notice and public procedure are considered unnecessary.

In consideration of the foregoing, Parts 71 and 75 of the Federal Aviation Regulations are amended, effective 0001 e.s.t., May 26, 1966, as hereinafter set forth.

1. Section 75.100 (31 F.R. 2346) is amended by deleting "London, Ky.;" from Jet Route No. 42.

2. Section 71.207 (31 F.R. 2284) is amended by deleting "London, Ky."

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Washington, D.C., on March 21, 1966.

H. B. HELSTROM,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66–3267; Filed, Mar. 28, 1966; 8:46 a.m.]

[Airspace Docket No. 65–EA–58]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

PART 75—ESTABLISHMENT OF JET ROUTES

Alteration of Federal Airways and Jet Routes

On December 15, 1965, a notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 15438) stating that the Federal Aviation Agency proposed to alter the alignments of Victor 196, 203, 282, and Jet Route number 509 in the vicinity of Saranac Lake, N.Y.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. All comments received were favorable.

Subsequent to the publication of the notice, it was determined that the terminus of V–431, which is described by the intersection of radials of the Glens Falls, N.Y., and Albany, N.Y., VORs, is located on V–203. It is desirable that this junction should be maintained, therefore the terminus of V–431 will be relocated on V–203 in its new alignment. Since this alteration is editorial in nature, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Parts 71 and 75 of the Federal Aviation Regulations are amended, effective 0001 e.s.t., May 26, 1966, as hereinafter set forth.

a. Section 71.123 (31 F.R. 2009) is amended as follows:

1. V–196 is amended to read as follows:

V–196 From Utica, N.Y., via Saranac Lake, N.Y.; to Plattsburgh, N.Y.

2. In V–203 "Albany, N.Y.;" is deleted and "Albany, N.Y.; Saranac Lake, N.Y.;" is substituted therefor.

3. V–282 is amended to read as follows:

V–282 From Saranac Lake, N.Y. to St. Eustache, Quebec, Canada. The airspace within Canada is excluded.

4. In V–431 "INT of Albany 343° radials." is deleted and "INT of Albany 350° radials." is substituted therefor.

b. In § 75.100 (31 F.R. 2346), J–509 is amended to read as follows:

J–509 (Long Lake, N.Y., to United States/Canadian border) (Joins Canadian high level airway No. 509).

From the INT of Albany, N.Y., 343° and St. Eustache, Quebec, 188° radials to the INT of the St. Eustache 188° radial with the United States/Canadian border.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Washington, D.C., on March 21, 1966.

H. B. HELSTROM,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66–3268; Filed, Mar. 28, 1966; 8:47 a.m.]

[Airspace Docket No. 65–WE–106]

PART 75—ESTABLISHMENT OF JET ROUTES

Designation of Jet Routes

The purpose of this amendment to Part 75 of the Federal Aviation Regulations is to redesignate Jet Route No. 505 from the Seattle Wash., VORTAC to the United States/Canadian border on the direct radial to the Kimberley, British Columbia, VOR.

On November 11, 1965 (30 F.R. 12387), J–505 was revoked because of insufficient navigational aid signal. Subsequent to such revocation, Canada installed a VOR at Kimberley thereby providing an adequate navigational aid signal. Scheduled air carriers presently operate flights over this route. The need for the route exists as before and with the reason for revocation eliminated, action is taken herein to redesignate J–505.

The Canadian Department of Transport has concurred in the redesignation of this route to the Kimberley VOR.

Since this jet route lies within airspace that is presently controlled, and the designation thereof is made to promote the safe and efficient utilization of airspace, the Administrator finds that notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 75 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., May 26, 1966, as hereinafter set forth.

Section 75.100 (31 F.R. 2346) is amended by adding Jet Route No. 505 as follows:

Jet Route No. 505 (Seattle, Wash., to the United States/Canadian border) (joins Canadian high level airway No. 505).

From Seattle, Wash., via the Seattle 061° radial to the United States/Canadian border.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Washington, D.C., on March 21, 1966.

H. B. HELSTROM,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66–3269; Filed, Mar. 28, 1966; 8:47 a.m.]

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 7195; Amdt. 95–139]

PART 95—IFR ALTITUDES

Miscellaneous Amendments

Correction

In F.R. Doc. 66–2805, appearing at page 4500 of the issue for Thursday, March 17, 1966, the entry for Nashville, Tenn., under § 95.6016 *VOR Federal airway 16* is corrected to read as follows:

Nashville, Tenn., VOR; Statesville INT, Tenn.; *3,000. *2,900—MOCA.

[Reg. Docket No. 7148; Amdt. 468]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

The amendments to the standard instrument approach procedures contained herein are adopted to become effective when indicated in order to promote safety. The amended procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the complete procedure is republished in this amendment indicating the changes to the existing procedures.

As a situation exists which demands immediate action in the interests of safety in air commerce, I find that compliance with the notice and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for making this amendment effective within less than 30 days from publication.

In view of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 97 (14 CFR Part 97) is amended as follows:

1. By amending the following automatic direction finding procedures prescribed in § 97.11(b) to read:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
DHN VORTAC	LOR RBn	Direct	2000	T-dn	300–1	300–1	200–½
Hartford Int	LOR RBn	Direct	2000	C-dn	500–1	500–1	500–1½
ETP RBn	LOR RBn	Direct	2000	A-dn	800–2	800–2	800–2
Abbeville Int	LOR RBn	Direct	2000				
Opp Int	LOR RBn	Direct	2000				
Darlington Int	LOR RBn	Direct	2000				

Radar available.
Procedure turn N side of crs, 239° Outbnd, 059° Inbnd, 1600′ within 10 miles.
Minimum altitude over facility on final approach crs, 1100′.
Crs and distance, facility to airport, 059°—1.5 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 1.5 miles after passing LOR RBn, turn right, climb to 2000′, proceed direct to Enterprise RBn.
NOTES: (1) Authorized for military use only except by prior arrangement. (2) Procedure authorized for rotary wing aircraft only.
MSA within 25 miles of facility: 000°–090°—1800′; 090°–180°—2100′; 180°–270°—1700′; 270°–360°—1700′.

City, Fort Rucker; State, Ala.; Airport name, Lowe AHP; Elev., 244′; Fac. Class., MHW; Ident., LOR; Procedure No. 1, Amdt. 3; Eff. date, 12 Mar. 66; Sup. Amdt. No. 2; Dated, 27 Nov. 65

Int TOH VOR, R 204° and 265° bearing to HZL RBn.	HZL RBn (final)	Direct	2500	T-dn	300–1	300–1	NA
				C-d	700–1	700–1	NA
Crystal Lake RBn	HZL RBn	Direct	3600	C-n	700–2	700–2	NA
				S-d-28	700–1	700–1	NA
				S-n-28	700–1½	700–1½	NA
				A-dn	NA	NA	NA

Procedure turn N side of crs, 085° Outbnd, 265° Inbnd, 3500′ within 10 miles.
Minimum altitude over facility on final approach crs, 2500′.
Crs and distance, facility to airport, 285°—4.1 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.1 miles after passing HZL RBn, make a left-climbing turn to 4000′, proceed direct to HZL RBn. Hold E HZL RBn, 1-minute left turns, Inbnd crs, 265°.
AIR CARRIER NOTE: NE–SW runway not authorized.
NOTES: Local weather and voice communications on 122.8 available sunrise to 2030 local time. ATC communication with Wilkes-Barre approach control.
MSA within 25 miles of facility: 000°–090°—3600′; 090°–360°—3300′.

City, Hazleton; State, Pa.; Airport name, Hazleton Municipal; Elev., 1604′; Fac. class, MHW; Ident., HZL; Procedure No. 1, Amdt. 5; Eff. date, 12 Mar. 1966; Sup. Amdt. No. 4; Dated, 24 July 65

MEI VORTAC	LOM (HW)	Direct	2000	T-dn	300–1	300–1	200–½
Stratton Int	LOM (HW)	Direct	2000	C-dn	500–1	600–1	600–1½
Decatur Int	LOM (HW)	Direct	2000	S-dn-01*	500–1	500–1	500–1
Newton Int	LOM (HW)	Direct	2000	A-dn	800–2	800–2	800–2
Rose Hill Int	LOM (HW)	Direct	2000				
EWA VOR	LOM (HW)	Direct	2000				

Radar available.
Procedure turn S side of crs, 186° Outbnd, 006° Inbnd, 2000′ within 10 miles.
Minimum altitude over facility on final approach crs, 1700′.
Crs and distance, facility to airport, 006°—4.5 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.5 miles after passing LOM, turn left, climb to 2000′ on crs, 300° within 20 miles, or when directed by ATC, turn left, climb to 2000′ on crs, 360° within 20 miles.
NOTE: Takeoffs with less than 200–½ not authorized on Runways 5 and 23. No approach lights. Overrun lights and high-intensity runway lights only on Runways 1–19. Runways 9–27 closed.
CAUTION: Trees, 600′—2 miles E of airport. 1000′ tower, 2.5 miles E of airport. 880′ tower, 4.2 miles SE of airport.
*Reduction below ¾ mile not authorized.
MSA within 25 miles of facility: 000°–090°—2100′; 090°180°—1800′; 180°–270°—1700′; 270°–360°—2000′.

City, Meridian; State, Miss.; Airport name, Key Field; Elev., 297; Fac. Class., HW; Ident., ME; Procedure No. 1, Amdt. 9; Eff date, 12 Mar. 66; Sup. Amdt. No. 8; Dated, 20 Feb. 65

ADF STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Buffalo VOR	IA LOM	Direct	2000	T-dn	300–1	300–1	*200–½
Grand Island Int	IA LOM	Direct	2000	C-dn	500–1	500–1	500–1½
Wolcottsville Int	IA LOM (final)	Direct	1800	S-dn-28R	400–1	400–1	400–1
				A-dn	800–2	800–2	800–2

Radar available.
Procedure turn N side of crs, 098° Outbnd, 278° Inbnd, 1800′ within 10 miles of LOM.
Minimum altitude over facility on final approach crs, 1800′.
Crs and distance, facility to airport, 278°—4.2 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.2 miles after passing IA LOM, climb straight ahead on crs, 278° to 2000′ within 10 miles, then make right turn and return to the LOM. Hold E, 1-minute right turns, inbnd crs, 278°.
Other changes: Deletes transitions from Buffalo RBn and Int, SE crs, Toronto LFR and bearing, 097° to LOM.
*300–1 required on Runways 10R and 28L.
MSA within 25 miles of facility: 060°–150°—2200′; 150°–240°—3000′; 240°–330°—2200′; 330°–060°—1700′.

City, Niagara Falls; State, N.Y.; Airport name, Niagara Falls Municipal; Elev., 590′; Fac. Class., LOM; Ident., IA; Procedure No. 1, Amdt. 8; Eff. date, 12 Mar. 66; Sup. Amdt. No. 7; Dated, 26 Oct. 63

Warrington Int	ING RBn	Direct	2200	T-d	300–1	NA	NA
Pottstown VOR	ING RBn	Direct	2200	C-d	600–1	NA	NA
Fraser Int	ING RBn (final)	Direct	1200	A-d	NA	NA	NA

Radar authorized.
Procedure turn N side of crs, 241° Outbnd, 061° Inbnd, 2200′ within 10 miles.
Minimum altitude over facility on final approach crs, 1200′.
Crs and distance, facility to airport, 061°—0.8 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.8 mile after passing ING RBn, climb on crs, 061° to 1400′ within 5 miles, then make left-climbing turn returning to ING RBn at 2200′. Hold SW, 1-minute left turns, Inbnd crs, 061°.
Other change: Deletes note restricting operation of ING RBn to certain hours.
MSA within 25 miles of the facility: 000°–090°—2000′; 090°–180°—2400′; 180°–270°—2000′; 270°–360°—2500′.

City, Philadelphia (Ambler); State, Pa.; Airport name, Wing Field; Elev., 320′; Fac. Class., MHW; Ident, ING; Procedure No. 1, Amdt. 3; Eff. date, 12 Mar. 66; Sup Amdt. No. 2; Dated, 27 May 65

PROCEDURE CANCELED, EFFECTIVE 12 MAR. 66.

City, Terre Haute; State, Ind.; Airport name, Hulman Field; Elev., 585′; Fac. Class., BH; Ident., HUF; Procedure No. 1, Amdt. 4; Eff. date, 5 Dec. 64; Sup. Amdt. No. 3; Dated, 20 June 64

HUF VOR	LOM	Direct	2000	T-dn	300–1	300–1	200–½
LEU VOR	LOM	Direct	2200	C-dn	400–1	500–1	500–1½
Fairbanks Int	LOM (final)	Direct	2000	S-dn-5	400–1	400–1	400–1
Sanford Int	LOM	Direct	2200	A-dn	800–2	800–2	800–2
Clinton Int	LOM	Direct	2200				
Spencer Int	LOM	Direct	2200				

Procedure turn W side of crs, 225° Outbnd, 045° Inbnd, 2000′ within 10 miles.
Minimum altitude over facility on final approach crs, 1900′.
Crs and distance, facility to airport, 045°—4.7 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.7 miles after passing LOM, proceed direct to HUF VOR, climbing to 2000′ or, when directed by ATC, make climbing right turn to 2500′ and proceed direct to LEU VOR.
NOTE: All turns to be made on W side of crs, high tower to S.
Other change: Deletes transition from HUF RBn to LOM.
MSA within 25 miles of facility: 000°–090°—2300′; 090°–180°—2000′; 180°–270°—2600′; 270°–360°—2200′.

City, Terre Haute; State, Ind.; Airport name, Hulman Field; Elev., 585′; Fac. Class., LOM; Ident., HU; Procedure No. 2, Amdt. 5; Eff. date, 12 Mar. 66; Sup. Amdt. No. 4; Dated, 5 Dec. 64

Boyds Int	Poolesville RBn (final)	Direct	2300	T-dn	300–1	300–1	200–½
Frederick VOR	Poolesville RBn	Direct	2800	C-dn	500–1	500–1	500–1½
Sugar Loaf Int	Poolesville RBn	Direct	2800	S-dn-19R	500–1	500–1	500–1
				A-dn	800–2	800–2	800–2
				If DLX OM received the following minimums apply:			
				S-dn-19R	400–1	400–1	400–1

Radar available.
Procedure turn W side of crs, 006° Outbnd, 186° Inbnd, 2800′ within 10 miles of Poolesville RBn.
Minimum altitude over Poolesville RBn on final approach crs, 2300′.
Crs and distance, facility to airport, 186°—7.3 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 7.3 miles after passing PLV RBn, make a right-climbing turn, proceed direct to PLV RBn, hold N 186° bearing Inbnd, 2800′ 1-minute right turns.
MSA within 25 miles of facility: 090°–180°—2100′; 180°–090°—3000′.

City, Washington; State, D.C.; Airport name, Dulles International; Elev., 313′; Fac. Class., MHW; Ident., PLV; Procedure No. 2, Amdt. 5; Eff. date, 12 Mar. 66; Sup. Amdt. No. 4; Dated, 7 Sept. 63

OBK VOR	Waukegan RBn	Direct	2000	T-dn	300–1	300–1	200–½
Wind Lake Int	Waukegan RBn	Direct	2500	C-d	600_1	600–1	600–1½
Taylor Int	Waukegan RBn	Direct	2300	C-n	600–1½	600–1½	600–1½
				S-dn-23	600–1	600–1	600–1
				A-dn	NA	NA	NA

Procedure turn N side of crs, 041° Outbnd, 221° Inbnd, 2000′ within 10 miles.
Minimum altitude over facility on final approach crs, 1327′.
Facility on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of Waukegan RBn, make right-climbing turn to 2000′, return to Waukegan RBn, hold NE on 041° bearing from UGN RBn.
NOTE: No weather available. Use O'Hare or Milwaukee altimeter setting.
Major change: Radar vectoring deleted.
MSA within 25 miles of facility: 000°–360°—2500′.

City, Waukegan; State, Ill.; Airport name, Waukegan Memorial; Elev., 727′; Fac. Class., MHW; Ident., UGN; Procedure No. 1, Amdt. 1; Eff. date, 12 Mar. 66; Sup. Amdt. No. Orig.; Dated, 20 Nov. 65

2. By amending the following very high frequency omnirange (VOR) procedures prescribed in § 97.11(c) to read:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Georgetown Int	AUS VORTAC (final)	Direct	1800	T-dn	300-1	300-1	*300-1
				C-dn	700-1	700-1	700-1½
				S-dn-16R**	700-1	700-1	700-1
				A-dn	800-2	800-2	800-2
				DME/Radar minimums if 2.9-miles DME Fix or Radar Fix received, minimums become:#			
				S-dn-16R	400-1	400-1	400-1

Radar available.
Procedure turn W side of crs, 007° Outbnd, 187° Inbnd, 2500′ within 10 miles.
Minimum altitude over facility on final approach crs, 1800′; over 2.9 miles. DME or Radar Fix on R 175°, AUS VORTAC, 1300′.
Crs and distance, facility to airport, 175°—5.1 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.1 miles after passing VOR, turn right, climb to 3000′ on R 189° within 15 miles or, when directed by ATC, turn left, climb to 2000′ on R 125° within 20 miles.
CAUTION: Tank, 855′—1.2 miles W of final approach crs, 2.3 miles NW of airport.
#DME equipment required if Radar Fix not received.
*200-½ authorized on Runways 16R, 34L, 12R, and 30L only.
**Reduction of landing visibility not authorized.
MSAs within 25 miles of facility: 000°-090°—2100′; 090°-180°—2000′; 180°-270°—3000′; 270°-360°—2400′.

City, Austin; State, Tex .; Airport name, Robert Mueller Municipal; Elev., 631′; Fac. Class., H-BVORTAC; Indent., AUS; Procedure No. 1, Amdt. 17; Eff. date, 12 Mar. 66; Sup. Amdt. No. 16; Dated, 4 Sept. 65

Crockett Int	CCR VOR	Direct	2500	T-dn%	500-1	500-1	500-1
Napa VOR	CCR VOR	Direct	2500	C-d	700-1	700-1	700-1½
Bay Point Int	CCR VOR	Direct	2500	C-n	700-2	700-2	700-2
College Int	CCR VOR	Direct	3000	A-dn*	1000-2	1000-2	1000-2
Napa VOR	Port Chicago Int	Direct	2100				
Port Chicago Int	CCR VOR (final)	Direct	1000				

Radar available.
Procedure turn E side of crs, 351° Outbnd, 171° Inbnd, 2500′ within 10 miles.
Minimum altitude over facility on final approach crs, 1000′.
Crs and distance, facility to airport, 171°—3.1 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.1 miles after passing CCR VOR, make right-climbing turn, proceed direct to CCR VOR, continue climb to 2500′ on CCR VOR, R 046° to Rio Int.
NOTE: Buchanan tower hours of operation 0700-2300 local. Weather service available only during periods of tower operation.
CAUTION: 2 stacks, 371′—1.7 NM NNW and terrain in all quadrants.
*Alternate minimums authorized or ly when Buchanan tower operational.
%Takeoff all runways: Proceed direct to CCR VOR executing maximum climb with a minimum climb rate of 350′ per mile. From CCR VOR climb on crs authorized northeastbound direct SAC VOR; westbound direct APC VOR; southbound to College Int, climb to 3000′ in a 1-minute holding pattern N of CCR VOR on R 351°, 171 Inbnd, left turns.
MSA within 25 miles of facility: 000°-090°—2100′; 090°-180°—4900′; 180°-270°—3200′; 270°-360°—3900′.

City, Concord; State, Calif.; Airport name, Buchanan Field; Elev., 19′; Fac. Class, T-BVOR; Ident., CCR; Procedure No. 1, Amdt. 1; Eff. date, 12 Mar 66; Sup. Amdt. No. Orig.; Dated, 6 Nov. 65

				T-dn	300-1	300-1	200-½
				C-dn	400-1	500-1	500-1½
				S-dn-36#	400-1	400-1	400-1
				A-dn*	800-2	800-2	800-2

Procedure turn E side of crs, 168° Outbnd, 348° Inbnd, 2300′ within 10 miles.
Minimum altitude over facility on final approach crs, 2300′.
Crs and distance, facility to airport, 348°—5.4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished with 5.4 miles after passing DEC VOR, make right turn, climb to 2300′ direct to DEC VOR.
*Alternate minimums authorized only when control zone effective or for air carrier with approved weather service.
#No reduction authorized for REIL's.
MSA within 25 miles of facility: 000°-090°—2700′; 090°-180°—2000′; 180°-270°—2100′; 270°-360°—2600′.

City, Decatur; State, Ill.; Airport name, Decatur Municipal; Elev., 679′; Fac. Class., BVOR; Ident., DEC; Procedure No. 1, Amdt. 4; Eff. date, 12 Mar. 66; Sup. Amdt. No. 3; Dated, 1 June 63

Skipperville Int	HEY VOR	Direct	2000	T-dn	300-1	
Abbeville Int	HEY VOR	Direct	2000	C-dn	900-1	
DHN VORTAC	HEY VOR	Direct	2000	S-dn-17*	900-1	
OZ LOM	HEY VOR	Direct	2000	A-dn	900-2	
				If Ewell Int received, minimums become:		
				C-dn	400-1	
				S-dn-17	400-1	
				A-dn	800-2	

Radar available.
Procedure turn E side of crs, 356° Outbnd, 176° Inbnd, 2000′ within 10 miles.
Minimum altitude over Ewell Int on final approach crs, 1200′; over facility, 800′.
Crs and distance, facility to airport, 176°—1.1 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 1.1 miles after passing HEY VOR, turn left, climb to 2000′ return direct to HEY VOR.
NOTES: (1) Procedure authorized for rotary wing aircraft only. (2) Authorized for military use only except by prior arrangement.
*Reduction not authorized.
MSA within 25 miles of facility: 000°-090°—1800′; 090°-180°—2600′; 180°-270°—1700′; 270°-360°—1700′.

City, Fort Rucker; State, Ala.; Airport name, Hanchey AHP; Elev., 311′; Fac. Class., T-VOR; Ident., HEY; Procedure No. 1, Amdt. 4; Eff. date, 12 Mar. 66; Sup. Amdt. No. 3; Dated, 27 Nov. 65

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
GL LFR	GAL VORTAC	Direct	2500	T-dn	300-1	300-1	200-½
20-mile DME, R 065°	10-mile DME, R 065°	Direct	2200	C-dn	500-1	500-1	500-1½
10-mile DME, R 065°	3-mile DME, R 065°	Direct	1400	S-dn-25**	400-1	400-1	400-1
3-mile DME, R 065° (final)	GAL VORTAC	Direct	*800	A-dn	800-2	800-2	800-2

Procedure turn not required with DME.
Procedure turn S side of crs, 065° Outbnd, 245° Inbnd, 2000′ within 10 miles.
Minimum altitude over 10-mile DME Fix, 2200′; over 3-mile DME, 1400′; over facility on final approach crs, 800′*/if DME not available, 1400′.
Crs and distance, facility to airport, 245°—3.2 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.2 miles after passing GAL VORTAC, climb straight ahead to 2500′ on R 245° within 15 miles.
NOTE: When authorized by ATC, DME may be used within 20 miles at 5000′ in all directions to position aircraft for a straight-in with the elimination of a procedure turn.
**400-¾ authorized, except for 4-engine turboject aircraft, with operative high-intensity runway lights. 400-½ authorized, except for 4-engine turbojet aircraft, with operative ALS.
MSA within 25 miles of facility: 000°-090°—2500′; 090°-270°—5000′; 270°-360°—2000′.

City, Galena; State, Alaska; Airport name, Galena FAA; Elev., 152′; Fac. Class., H-BVORTAC; Ident., GAL; Procedure No. 1, Amdt. 3; Eff. date, 12 Mar. 66; Sup. Amdt. No. 2; Dated, 28 Aug. 65

				T-dn	300-1	NA	NA
				C-dn*	500-1	NA	NA
				S-dn-33#	500-1	NA	NA
				A-dn	NA	NA	NA

Procedure turn E side of crs, 161° Outbnd, 341° Inbnd, 2100′ within 10 miles.
Minimum altitude over facility on final approach crs, 1100′.
Crs and distance, facility to airport, 341°—3 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3 miles after passing JKS VORTAC, make left-climbing turn to 2100′ and return to JKS VORTAC.
#Reduction below ¾ mile not authorized.
*Night operations Runways 1-19 not authorized.
MSA within 25 miles of facility: 000°-360°—2200′.

City, Lexington; State, Tenn.; Airport name, Franklin-Wilkins; Elev., 517′; Fac. Class., BVORTAC; Ident., JKS; Procedure No. 1, Amdt. 2; Eff. date, 12 Mar. 66; Sup Amdt. No. 1; Dated, 14 Nov. 64

				T-dn	300-1	300-1	NA
				C-dn	800-2	800-2	NA
				A-dn	NA	NA	NA

Procedure turn S side of crs, 084° Outbnd, 264° Inbnd, 1700′ within 10 miles. Beyond 10 miles not authorized.
Minimum altitude over facility on final approach, 1700′.
Crs and distance, facility to airport, 264°—10.3 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6 miles after passing HTM VOR, make a climbing right turn to 2000′ returning to the HTM VOR. Hold SW of HTM VOR, R 240°, right turns, 1 minute, 060° Inbnd.
NOTE: Point of visual contact to airport, 4.3 miles.
MSA within 25 miles of facility: 000°-180°—2000′; 180°-270°—2500′; 270°-360°—2500′.

City, Mansfield; State, Mass.; Airport name, Mansfield Municipal; Elev., 124′; Fac. Class., L-BVOR; Ident., HTM; Procedure No. 1, Amdt. 2; Eff. date, 12 Mar. 66; Sup. Amdt. No. 1; Dated, 22 Jan. 66

				T-dn*	300-1	300-1	200-½
				C-dn	500-1	600-1	600-1½
				A-dn	800-2	800-2	800-2

Radar available.
Procedure turn W side of crs, 310° Outbnd, 130° Inbnd, 2000′ within 10 miles.
Minimum altitude over facility on final approach crs, 1600′.
Crs and distance, facility to airport, 130°—3.7 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.7 miles after passing MEI VORTAC, turn right, climb to 2000′ on R 225°, MEI VORTAC within 20 miles or, when directed by ATC, turn right, climb to 2000′ on R 170°, MEI VORTAC within 20 miles.
NOTE: When authorized by ATC, DME may be used within 20 miles at 2000′ to position aircraft for a straight-in approach with the elimination of a procedure turn.
*AIR CARRIER NOTE: Takeoffs with less than 200-½ not authorized Runways 5-23.
CAUTION: Trees, 600′—2 miles E of airport. 1000′ tower, 2.5 miles E of airport. 880′ tower, 4.2 miles SE of airport.
MSA within 25 miles of facility: 000°-090°—2100′; 090°-180°—2100′; 180°-270°—1700′; 270°-360°—1600′.

City, Meridian; State, Miss.; Airport name, Key Field; Elev., 297′; Fac. Class., BVORTAC; Ident., MEI; Procedure No. 1, Amdt. 6; Eff. date, 12 Mar. 66; Sup. Amdt. No. 5; Dated, 11 Apr. 64

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
Tupper Lake Int	SLK VOR	Direct	4500	T-d*	700–1	700–1	700–1
Redford Int	SLK VOR	Direct	4500	T-n	NA	NA	NA
				C-d	1200–1½	1200–1½	1200–2
				C-n	NA	NA	NA
				A-dn	NA	NA	NA
				After passing Lake Clear FM, the following minimums are authorized:			
				C-d	1100–1½	1100–1½	1100–2
				C-n	NA	NA	NA
				S-d-5/9#	1100–1½	1100–1½	1100–1½
				S-n	NA	NA	NA

Procedure turn N side of crs, 251° Outbnd, 071° Inbnd, 4000′ within 10 miles.
Minimum altitude over facility on final approach crs, 2859′; after passing Lake Clear FM 2759′.
Facility on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6 mile of SLK VOR (or 3.3 miles after passing Lake Clear FM), climb on R 071° to 3000′ within 5 miles, then left-climbing turn to 4000′ direct SLK VOR. Hold SW of SLK VOR, 1-minute left turns, 071° Inbnd.
NOTE: Approach from a holding pattern not authorized. Procedure turn required.
CAUTION: Altimeter setting from Massena, N.Y. FSS.
IFR Departure: Climb in the holding pattern and depart the SLK VOR at 4500′ or above on airways.
*900–1 required for takeoff on Runways 9 and 34 (sliding scale not authorized).
#Reduction not authorized.
MSA within 25 miles of facility: 000°–090°—5000′; 090°–180°—6500′; 180°–270°—6000′; 270°–360°—4000′.

City, Saranac Lake; State, N.Y.; Airport name, Adirondack; Elev., 1659′; Fac. Class., T-VORW; Ident., SLK; Procedure No. 1, Amdt. 2; Eff. date, 12 Mar. 66; Sup. Amdt. No. 1; Dated, 9 Oct. 65

Brazil Int	HUF VOR (final)	Direct	1500	T-dn	300–1	300–1	200–½
Clinton Int	HUF VOR	Direct	2200	C-dn	400–1	500–1	500–1½
Spencer Int	HUF VOR	Direct	2200	S-dn-23*	400–1	400–1	400–1
				A-dn	800–2	800–2	800–2

Procedure turn N side of final approach crs, 049° Outbnd, 229° Inbnd, 2000′ within 10 miles.
Minimum altitude over facility on final approach crs, 1500′.
Crs and distance, facility to airport, 229°—3 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3 miles after passing HUF VOR, make climbing left turn to 2500′ and proceed direct to Lewis VOR or, when directed by ATC, make climbing right turn and return to HUF VOR, at 2000′.
NOTES: (1) Final approach from holding pattern not authorized. Procedure turn required. (2) When authorized by ATC, DME may be used to position aircraft on final approach crs at 2200′ via 10-mile DME Arc, 329° clockwise to 180° from HUF VOR with the elimination of the procedure turn.
Other change: Deletes transition from HUF RBn to HUF VOR.
*400–¾ authorized, except for turbojet aircraft, with operative high-intensity lights.
MSA within 25 miles of facility: 000°–090°—2300′; 090°–180°—2000′; 180°–270°—2600′; 270°–360°—2200′.

City, Terre Haute; State, Ind.; Airport name, Hulman Field; Elev., 585′; Fac. Class., BVORTAC; Ident., HUF; Procedure No. 1, Amdt. 7; Eff. date, 12 Mar. 66; Sup. Amdt. No. 6; Dated, 5 Dec. 64

LEU VOR	Riley Int	Direct	2200	T-dn	300–1	300–1	200–½
HUF VOR	Riley Int	Direct	2000	C-dn	400–1	500–1	500–1½
Sanford Int	Riley Int	Direct	2200	S-dn-5*	400–1	400–1	400–1
				A-dn	800–2	800–2	800–2

Procedure turn W side of crs, 228° Outbnd, 048° Inbnd, 2000′ within 10 miles of Riley Int.
Minimum altitude over Riley Int on final approach crs, 1700′.
Crs and distance, Riley Int to airport, 048°—4.8 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.8 miles after passing Riley Int, climb to 2500′ and proceed to Manhattan Int or, when directed by ATC, make climbing right turn to 2500′ and proceed direct to LEU VOR.
NOTES: (1) Procedure restricted to aircraft equipped with dual omni. (2) When authorized by ATC, DME may be used to position aircraft on final approach crs at 2500′ via 13-mile DME Arc; 180° clockwise to 280° from HUF VOR with the elimination of the procedure turn. (3) All turns to be made W side of crs, high tower to S.
Other change: Deletes transition from HUF RBn to HUF VOR.
*400–¾ authorized, except for turbojet aircraft, with operative high-intensity runway lights.
MSA within 25 miles of facility: 000°–090°—2300′; 090°–180°—2000′; 180°–270°—2600′; 270°–360°—2200′.

City, Terre Haute; State, Ind.; Airport name, Hulman Field; Elev., 585′; Fac. Class., BVORTAC; Ident., HUF; Procedure No. 2, Amdt. 5; Eff. date, 12 Mar. 66; Sup. Amdt. No. 4; Dated, 5 Dec. 64

3. By amending the following terminal very high frequency omnirange (TerVOR) procedures prescribed in § 97.13 to read:

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots

PROCEDURE CANCELED, EFFECTIVE 12 MAR. 66.
City, Groton; State, Conn.; Airport name, Trumbull; Elev., 10′; Fac. Class., VOR; Ident., GON; Procedure No. Ter VOR(R-140), Amdt. Orig.; Eff. date, 11 Jan. 64

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Morey Int	TAX VOR	Direct	2600	T-dn %#	300-1	300-1	200-½
Marshall Int	TAX VOR	Direct	2600	C-dn#	600-1	600-1	600-1½
Madison LOM	TAX VOR	Direct	2600	S-dn-18$	600-1	600-1	600-1
				A-dn	800-2	800-2	800-2

Radar available.
Procedure turn W side of crs, 356° Outbnd, 176° Inbnd, 2600′ within 10 miles.
Minimum altitude over facility on final approach crs, 1459′.
Facility on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing TAX VOR, climb to 2600′ on R 176° within 10 miles.
NOTE: Truax DME Channel 102 cochanneled but not colocated with Truax VOR, 115.5. DME not authorized for use on flight procedures associated with Truax VOR.
$Visibility reduction not authorized for high-intensity runway lights.
%When weather is below 1500-2, aircraft departing southwestbound, flight below 2700′ beyond 4 miles from airport is prohibited between radials 201° and 257°, inclusive of the TAX VOR due to 2249′ tower, 8 miles SW of airport.
#Night takeoffs and landings not authorized, Runways 8/26.
MSA within 25 miles of facility: 000°-180°—2400′; 180°-360°—3300′.

City, Madison; State, Wis.; Airport name, Truax Field; Elev., 859′; Fac. Class., BVOR; Ident., TAX; Procedure No. TerVOR-18, Amdt. 3; Eff. date, 12 Mar. 66; Sup. Amdt. No. 2; Dated, 22 Jan. 66

Chilton Int	MTW VOR	Direct	2200	T-dn	300-1	300-1	200-½
Franklin Int	MTW VOR	Direct	2200	Minimums when control zone effective:			
Larrabee Int	MTW VOR	Direct	2100	C-d*	700-1	700-1½	700-1½
Green Bay VOR	MTW VOR	Direct	3000	C-n*	700-2	700-2	700-2
				S-dn-17*	700-1	700-1	700-1
				A-dn*	800-2	800-2	800-2
				Minimums when control zone not effective:			
				C-d	800-1	800-1½	800-1½
				C-n	800-2	800-2	800-2
				S-dn-17	800-1	800-1	800-1
				A-dn	NA	NA	NA

Procedure turn W side of crs, 342° Outbnd, 162° Inbnd, 2100′ within 10 miles.
Minimum altitude over facility on final approach crs, 1351′.
Facility on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of VOR, climb to 2100′ southbound on R 162° and return to VOR.
NOTE: Use Green Bay altimeter when control zone not in effect.
*These minimums apply at all times for those air carriers with weather reporting service.
MSA within 25 miles of facility: 000°-090°—1900′; 090°-180°—2000′; 180°-270°—2400′; 270°-360°—3100′.

City, Manitowoc; State, Wis.; Airport name, Manitowoc Municipal; Elev., 651′; Fac. Class., BVOR; Ident., MTW; Procedure No. TerVOR-17, Amdt. 1; Eff. date, 12 Mar. 66 Sup. Amdt. No. Orig.; Dated, 6 Jan. 66

Chilton Int	MTW VOR	Direct	2200	T-dn	300-1	300-1	200-½
Franklin Int	MTW VOR	Direct	2200	Minimums when control zone effective:			
Larrabee Int	MTW VOR	Direct	1900	C-d*	700-1	700-1½	700-1½
Green Bay VOR	MTW VOR	Direct	3000	C-n*	700-2	700-2	700-2
				S-dn-35*	700-1	700-1	700-1
				A-dn*	800-2	800-2	800-2
				Minimums when control zone not effective:			
				C-d	800-1	800-1½	800-1½
				C-n	800-2	800-2	800-2
				S-dn-35	800-1	800-1	800-1
				A-dn	NA	NA	NA

Procedure turn W side of crs, 175° Outbnd, 355° Inbnd, 1900′ within 10 miles.
Minimum altitude over facility on final approach crs, 1351′.
Facility on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of VOR, climb 2100′ northbound on R 355° and return to VOR.
NOTE: Use Green Bay altimeter when control zone not in effect.
*These minimums apply at all times for those air carriers with weather reporting service.
MSA within 25 miles of facility: 000°-090°—1900′; 090°-180°—2000′; 180°-270°—2400′; 270°-360°—3100′.

City, Manitowoc; State, Wis.; Airport name, Manitowoc Municipal; Elev., 651′; Fac. Class., BVOR; Ident., MTW; Procedure No. TerVOR-35, Amdt. 1; Eff. date, 12 Mar. 66; Sup. Amdt. No. Orig.; Dated, 6 Jan. 66

4. By amending the following very high frequency omnirange-distance measuring equipment (VOR/DME) procedures prescribed in § 97.15 to read:

VOR/DME STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	

PROCEDURE CANCELED, EFFECTIVE 12 MAR. 1966.

City, Austin; State, Tex.; Airport name, Robert Mueller Municipal; Elev., 631′; Fac. Class., BUORTAC; Ident., AUS; Procedure No. 1, Amdt. 1; Eff. date, 29 Jan. 66; Sup. Amdt. No. Orig.; Dated, 3 July 65

VOR/DME STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition From—	Transition To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums Condition	2-engine or less 65 knots or less	2-engine or less More than 65 knots	More than 2-engine, more than 65 knots
GL LFR	GAL VORTAC	Direct	2500	T-dn	300-1	300-1	200-1½
20-mile DME, R 245°		Direct	2000	C-dn	500-1	500-1	500-1½
12-mile DME, R 245°	8-mile DME, R 245°	Direct	1000	S-dn-7**	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Procedure turn not required with DME.
Procedure turn S side of crs, 245° Outbnd, 065° Inbnd, 2000′ within 10 miles beyond 5-mile DME Fix.
Minimum altitude over 12-mile DME Fix, 2000′; over 8-mile DME Fix, 1000′; over 5-mile DME Fix on final approach crs, 552′.
Crs and distance, 5-mile DME Fix to airport, 065°—0.5 mile.
If visual contact not established upon descent to authorized landing minimums or at 5-mile DME Fix, climb straight ahead to GAL VORTAC, continue to 2500′ on R 065° within 10 miles.
NOTE: When authorized by ATC, DME may be used within 20 miles at 5000′ in all directions to position aircraft for a straight-in approach with the elimination of a procedure turn.
**400-¾ authorized, except for 4-engine turbojet aircraft, with operative high-intensity runway lights.
MSA within 25 miles of facility: 000°-090°—2500′; 090°-270°—5000′; 270°-360°—2000′.

City, Galena; State, Alaska; Airport name, Galena FAA; Elev., 152′; Fac. Class., H-BVORTAC; Ident., GAL; Procedure No. VOR/DME No. 1; Amdt. Orig.; Eff. date, 12 Mar. 66

SNS, R 114°, 21-mile DME Fix	SNS, R 114°, 13-mile DME Fix	Direct	3500	T-dn	300-1	300-1	200-½
SNS, R 114°, 13-mile DME Fix	SNS, R 114°, 6-mile DME Fix	Direct	2600	C-dn	500-1	500-1	500-1½
SNS, R 114°, 6-mile DME Fix	SNS VOR	Direct	600	A-dn	800-2	800-2	800-2

Procedure turn not authorized. Final approach crs, 294° Inbnd.
Minimum altitude over 13-mile DME Fix, R 114° on final approach crs, 3500′; over 6-mile DME Fix, R 114°, 2600′; over facility, 600′.
Crs and distance, 6-mile DME Fix to airport, 294°—6 miles.
Facility on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing SNS VOR, climb to 2000′ on R 293°, SNS VOR to 18-mile DME Fix (Moss Landing Int).
MSA within 25 miles of facility: 000°-090°—5000′; 090°-180°—6100′; 180°-270°—5900′; 270°-360°—5100′.

City, Salinas; State, Calif.; Airport name, Salinas Municipal; Elev., 84′; Fac. Class., BVORTAC; Ident., SNS; Procedure No. VOR/DME No. 1, Amdt. 2; Eff. date, 12 Mar. 66; Sup. Amdt. No. 1; Dated, 17 Oct. 64

SNS, R 293°, 29-mile DME Fix	SNS, R 293°, 18-mile DME Fix	Direct	4000	T-dn	300-1	300-1	200-½
SNS, R 293°, 18-mile DME Fix	SNS, R 293°, 12-mile DME Fix	Direct	2000	C-dn	500-1	500-1	500-1½
SNS, R 293°, 12-mile DME Fix	SNS, R 293°, 6-mile DME Fix	Direct	1500	A-dn	800-2	800-2	800-2
SNS, R 293°, 6-mile DME Fix	SNS VOR	Direct	600				

Procedure turn not authorized. Final approach crs, 113° Inbnd.
Minimum altitude over 18-mile DME Fix, R 293° on final approach crs, 4000′; over 12-mile DME Fix, R 293°, 2000′; over 6-mile DME Fix, R 293°, 1500′; over facility, 600′.
Crs and distance, 6-mile DME Fix to airport, 113°—6 miles.
Facility on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing SNS VOR, right turn climb to 2000′ on R 293°, SNS VOR to 18-mile DME Fix (Moss Landing Int).
MSA within 25 miles of facility: 000°-090°—5000′; 090°-180°—6100′; 180°-270°—5900′; 270°-360°—5100′.

City, Salinas; State, Calif.; Airport name, Salinas Municipal; Elev., 84′; Fac. Class., BVORTAC; Ident., SNS; Procedure No. VOR/DME No. 2, Amdt. 3; Eff. date, 12 Mar. 66; Sup. Amdt. No. 2; Dated, 26 Dec. 64

5. By amending the following instrument landing system procedures prescribed in § 97.17 to read:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition From—	Transition To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums Condition	2-engine or less 65 knots or less	2-engine or less More than 65 knots	More than 2-engine, more than 65 knots
Sweetwater Int	LOM	Direct	3000				
Howard Int	LOM	Direct	4000				
Knoxville RBn	LOM	Direct	2500	T-dn##	300-1	300-1	200-½
Tallassee Int	LOM	Direct	2500	C-d	500-1	500-1	500-1½
Knoxville VORTAC	LOM	Direct	2500	C-n	500-1½	500-1½	500-1½
Loudon Int	LOM	Direct	2500	S-dn-4L*#	200-½	200-½	200-½
				A-dn	600-2	600-2	600-2

Radar available.
Procedure turn W side SW crs, 225° Outbnd, 045° Inbnd, 2500′ within 10 miles.
Minimum altitude at glide slope interception Inbnd, 2500′.
Altitude of glide slope and distance to approach end of runway at OM, 2485—5.3 miles; at MM, 1150′—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.3 miles after passing LOM, climb on crs, 045° until intercepting 070° bearing from TS RBn. Continue climb to 3000′ on 070° bearing from TYS RBn within 20 miles or, when directed by ATC, turn left, climb to 3000′ on 350° bearing from TYS RBn within 20 miles, or climb to 3000′ on R 070°, TYS VORTAC within 20 miles.
Other change: Deletes transition from Rasar Int.
*400-¾ (RVR 4000′) required when glide slope not utilized. 400-½ (RVR 2400′) authorized with operative ALS, except for 4-engine turbojets.
#RVR 2400′. Descent below 1189′ not authorized unless approach lights are visible.
##RVR 2400′ authorized Runway 4L.

City, Knoxville; State, Tenn.; Airport name, McGhee-Tyson; Elev., 989′; Fac. Class., ILS; Ident., I-TYS; Procedure No. ILS-4L, Amdt. 25; Eff. date, 12 Mar. 66; Sup. Amdt; No. 24; Dated, 1 May 65

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Independence Int	LOM	Direct	1900	T-dn$#	300-1	300-1	200-½
Coldwater Int	LOM	Direct	1900	C-dn	500-1	500-1	500-1½
Walls Int	LOM	Direct	1900	S-dn-35@*	200-½	200-½	200-½
Porter Int	LOM	Direct	1900	A-dn	600-2	600-2	600-2

Radar available.
Procedure turn E side of crs, 174° Outbnd, 354° Inbnd, 1900′ within 10 miles.
Minimum altitude at glide slope interception Inbnd, 1700′.
Altitude of glide slope and distance to approach end of runway at OM, 1694′—4.7 miles; at MM, 531′—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.7 miles after passing LOM, climb to 2500′ on crs of 354° from LOM within 15 miles or, when directed by ATC, turn left, climb to 1800′ on R 257°, NEM VORTAC within 15 miles.
NOTE: TDZ-35, CL 35/17, VASI 27.
#AIR CARRIER NOTE: Takeoff with less than 200-½ not authorized on Runways 14-32.
*500-¾ (RVR 4000′) required when glide slope not utilized. Reduction below ¾ mile (RVR 4000′) not authorized.
$RVR 1800′ authorized Runway 35.
@RVR 2000′ 4-engine turbojet. RVR 1800′, other aircraft. Descent below 531′ not authorized unless ALS visible.

City, Memphis; State, Tenn.; Airport name, Memphis Metropolitan; Elev., 331′; Fac. Class., ILS; Ident., I-TSE; Procedure No. ILS-35, Amdt. 7; Eff. date, 12 Mar. 66; Sup. Amdt. No. 6; Dated, 9 Dec. 65

MEI VORTAC	LOM (HW)	Direct	2000	T-dn	300-1	300-1	200-½
Stratton Int	LOM (HW)	Direct	2000	C-dn	500-1	600-1	600-1½
Decatur Int	LOM (HW)	Direct	2000	S-dn-1#	300-¾	300-¾	300-¾
Newton Int	LOM (HW)	Direct	2000	A-dn	600-2	600-2	600-2
Rose Hill Int	LOM (HW)	Direct	2000				
EWA VOR	LOM (HW)	Direct	2000				

Procedure turn S side of crs, 184° Outbnd, 004° Inbnd, 2000′ within 10 miles.
Minimum altitude at glide slope interception Inbnd, 1700′.
Altitude of glide slope and distance to approach end of runway at OM, 1700′—4.5 miles; at MM, 515′—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.5 miles after passing OM, turn left, climb to 2000′ on R 225°, MEI VORTAC within 20 miles or, when directed by ATC, climb to 2000′, proceed direct to MEI VORTAC then on R 310°, MEI VORTAC within 20 miles.
NOTE: Takeoffs with less than 200-½ not authorized on Runways 5 and 23.
No approach lights. Overrun lights and high-intensity runway lights only on Runways 1-19. Runways 9-27 closed.
CAUTION: Trees, 600′—2 miles E of airport; 1000′ tower, 2.5 miles E of airport; 880′ tower, 4.2 miles SE of airport.
#500-1 required when glide slope not utilized. Reduction below ¾ mile not authorized.

City, Meridian; State, Miss; Airport name, Key Field; Elev., 297′; Fac. Class., ILS; Ident., I-MEI; Procedure No. ILS-1, Amdt. 9; Eff. date, 12 Mar. 66; Sup. Amdt. No. 8; Dated, 20 Feb. 65

Buffalo VOR	LOM	Direct	2000	T-dn	300-1	300-1	*200-½
Wolcottsville Int	LOM (final)	Direct	1800	C-dn	500-1	500-1	500-1½
Grand Island Int	LOM	Direct	2000	S-dn-28R#	200-½	200-½	200-½
Buffalo VOR via VOR R 347°	E crs ILS	Direct	2000	A-dn##	600-2	600-2	600-2

Radar available (Buffalo radar).
Procedure turn N side of crs, 098° Outbnd, 278° Inbnd, 1800′ within 10 miles of LOM.
Minimum altitude at glide slope interception Inbnd, 1800′.
Altitude of glide slope and distance to approach end of runway at OM, 1755′—4.2 miles; at MM, 805′—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.2 miles after passing IA LOM, climb straight ahead on crs, 278° to 2000′ within 10 miles, then make right turn and return to LOM. Hold E, 1-minute right turns, Inbnd crs, 278°.
Other changes: Deletes transitions from Buffalo RBn and Int SE crs, Toronto LFR and E crs, ILS.
*300-1 required on Runways 10R, 28L.
#400-¾ required with glide slope inoperative. 400-½ authorized, except for 4-engine turbojet aircraft, with operative ALS.
##All installed components of the ILS must be operating, otherwise alternate minimums of 800-2 apply.

City, Niagara Falls; State, N.Y.; Airport name, Niagara Falls Municipal; Elev., 590′; Fac. Class., ILS; Ident., I-IAG; Procedure No. ILS-28R, Amdt. 8; Eff. date, 12 Mar. 66; Sup. Amdt. No. 7; Dated, 15 Feb. 64

HUF VOR	LOM	Direct	2000	T-dn	300-1	300-1	200-½
LEU VOR	LOM	Direct	2200	C-dn	400-1	500-1	500-1½
Fairbanks Int	LOM	Direct	2000	S-dn-5#	300-¾	300-¾	300-¾
Sanford Int	LOM	Direct	2200	A-dn	600-2	600-2	600-2
Int, R 248°, LEU VOR and HUF ILS SW crs.	Prairie Creek Int	Direct	2400				
Prairie Creek Int	LOM (final)	Direct	1900				
Spencer Int	LOM	Direct	2200				
Clinton Int	LOM	Direct	2200				

Procedure turn W side crs, 225° Outbnd, 045° Inbnd, 2000′ within 10 miles.
Minimum altitude at glide slope interception Inbnd, 1900′.
Altitude of glide slope and distance to approach end of runway at LOM, 1848′—4.7 miles; at LMM, 761′—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.7 miles after passing HU LOM, climb to 2100′ on NE crs, HUF ILS and proceed direct to Carbon Int or, when directed by ATC, make climbing right turn to 2500′ and proceed direct to LEU VOR.
NOTES: (1) No approach lights. (2) When authorized by ATC, DME may be used to position aircraft on final approach crs at 2500′ via 13-mile DME Arc, 180° clockwise to 280° from HUF VOR with the elimination of the procedure turn. (3) All turns to be made on W side of crs, high tower to S.
Other change: Deletes transition from HUF RBn to LOM.
#400-¾ required when glide slope not utilized.

City, Terre Haute; State, Ind.; Airport name, Hulman Field; Elev., 585′; Fac. Class., ILS; Ident., I-HUF; Procedure No. ILS-5, Amdt. 8; Eff. date, 12 Mar. 66; Sup. Amdt. No. 7; Dated, 2 Oct. 65

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Int HUF, R 009° and SCJ, R 339°	Carbon Int	Via SCJ R 339°	2000	T-dn	300–1	300–1	200–½
Carbon Int	HUF VOR (final)	Direct	1500	C-dn	400–1	500–1	500–1½
Clinton Int	HUF VOR	Direct	2200	S-dn-23*	400–1	400–1	400–1
Spencer Int	HUF VOR	Direct	2200	A-dn	800–2	800–2	800–2
Sandford Int	HUF VOR	Direct	2200				
Fairbanks Int	HUF VOR	Direct	2500				
Manhattan Int	HUF VOR	Direct	2200				
LEU VOR	HUF VOR	Direct	2200				
HUF LOM	HUF VOR	Direct	2000				

Procedure turn N side localizer crs, 045° Outbnd, 225° Inbnd, 2000′ within 10 miles of HUF VOR.
Minimum altitude over HUF VOR, 1500′.
Crs and distance, HUF VOR to airport, 229°—3 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3 miles after passing HUF VOR, climb to 2200′ southwestbound on SW crs, HUF ILS to Prairie Creek Int or, when directed by ATC, make climbing left turn to 2500′ and proceed direct to LEU VOR.
Other change: Deletes transition from Carbon Int to HUF RBn (final).
*400–¾ authorized, except for turbojet aircraft, with operative high-intensity runway lights.
NOTES: (1) When authorized by ATC, DME may be used to position aircraft on final approach crs at 2200′ via 10-mile DME Arc, 320° clockwise to 180° from HUF VOR, with elimination of the procedure turn. (2) No glide slope. (3) No approach lights. (4) This procedure not authorized unless aircraft equipped to receive ILS and VOR simultaneously. (5) Final approach from holding pattern not authorized. Procedure turn required.

City, Terre Haute; State, Ind.; Airport name, Hulman Field; Elev., 585′; Fac. Class., ILS; Ident., I-HUF; Procedure No. ILS-23 (back crs), Amdt. 7; Eff. date, 12 Mar. 66; Sup. Amdt. No. 6; Dated, 5 Dec. 64

Boyds Int	Poolesville RBn (final)	Direct	2300	T-dn	300–1	300–1	200–½
Frederick VOR	Poolesville RBn	Direct	2800	C-dn	500–1	500–1	500–1½
Sugar Loaf Int	Poolesville RBn	Direct	2800	S-dn-19R	200–½	200–½	200–½
				A-dn	600–2	600–2	600–2

Radar available.
Procedure turn W side of crs, 006° Outbnd, 186° Inbnd, 2800′ within 10 miles of PLV RBn.
Minimum altitude at glide slope interception Inbnd, 2300′.
Altitude of glide slope and distance to approach end of runway at Poolesville RBn, 2297′—7.3 miles; at OM, 1282′—3.6 miles; at MM, 462′—0.5 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 7.3 miles after passing PLV RBn or 3.6 miles after passing OM, make right turn to intercept HRN, R 227°, climb to 4000′, proceed to Blue Ridge Int via V-39 and V-144, hold W on Blue Ridge Int, LDN, R 110°, 4000′, 1-minute left turns.

City, Washington; State, D.C.; Airport name, Dulles International; Elev., 313′; Fac. Class., ILS; Ident., I-DLX; Procedure No. ILS-19R, Amdt. 6; Eff. date, 12 Mar. 66; Sup. Amdt. No. 5; Dated, 28 Nov. 64

7. By amending the following radar procedures prescribed in § 97.19 to read:

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If a radar instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below. Positive identification must be established with the radar controller. From initial contact with radar to final authorized landing minimums, the instructions of the radar controller are mandatory except when (A) visual contact is established on final approach at or before descent to the authorized landing minimums, or (B) at pilot's discretion if it appears desirable to discontinue the approach, except when the radar controller may direct otherwise prior to final approach, a missed approach shall be executed as provided below when (A) communication on final approach is lost for more than 5 seconds during a precision approach, or for more than 30 seconds during a surveillance approach; (B) directed by radar controller; (C) visual contact is not established upon descent to authorized landing minimums; or (D) if landing is not accomplished.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
000°	360°	Within:		Precision approach			
045°	345°	20 miles	2000	S-dn-6	200–½	200–½	200–½
345°	045°	20–40 miles	3000	S-dn-18, 36, 13	300–¾	300–¾	300–¾
		20–40 miles	4000	A-dn	600–2	600–2	600–2
				Surveillance approach			
				T-dn	300–1	300–1	200–½
				C-dn-6, 24, 36, 13, 31.	500–1	500–1	500–1½
				C-dn-18	600–1	600–1	600–1½
				S-dn-6, 24, 36, 31.#	400–1	400–1	400–1
				S-dn-13**	500–1	500–1	500–1
				S-dn-18*	600–1	600–1	600–1
				A-dn	800–2	800–2	800–2

All bearings and distances are from radar antenna with sector azimuth progressing clockwise.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, Runways 6, 36, or 13 turn right, Runways 18, 24, or 31, turn left, climb to 2000′ on R 165°, OZR VOR to Hartford Int, hold SW, 1-minute right turns, or when directed by ATC, Runways 6, 36, or 31, turn right; Runways 18, 24, or 13, turn left, climb to 2000′ on R 085°, OZR VOR to DHN VORTAC, hold SE on R 150° DHN VORTAC, 1-minute left turns.
NOTES: Authorized for military use only except by prior arrangement.
#400–¾ authorized, with operative high-intensity runway lights, except for 4-engine turbojets.
*Reduction not authorized.
**Reduction below ¾ mile not authorized.

City, Fort Rucker; State, Ala.; Airport name, Cairns AAF; Elev., 305′; Fac. Class. and Ident., Cairns Radar; Procedure No. 1, Amdt. 7; Eff. date, 12 Mar. 66; Sup. Amdt. No. 6; Dated, 27 Nov. 65

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
				Surveillance approach			
202° clockwise to 065°	Radar site	0–15 miles	*5000	T–dn	300–1	300–1	200–½
065° clockwise to 115°	Radar site	0–10 miles	5000	C–dn	500–1	500–1	500–1½
115° clockwise to 202°	Radar site	0–7 miles	5000	S–dn–21#	400–1	400–1	400–1
115° clockwise to 155°	Radar site	7–10 miles	5500	S–dn 3$	500–1	500–1	500–1
				S–dn 34**	500–1	500–1	500–1
155° clockwise to 202°	Radar site	7–15 miles	5500	A–dn	800–2	800–2	800–2
065° clockwise to 155°	Radar site	10–15 miles	6000				

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, Runway 21: Climb to 6000′ on a heading of 210° within 10 miles, return to GTF VOR, hold SW on GTF VOR, R 203°. Runway 3: Climb to 6000′ on a heading of 030° within 10 miles, return to GTF VOR, hold SW GTF VOR, R 203°. Runway 34: Climb to 6000′ on a heading of 340° within 10 miles, return to GTF VOR, hold SW on GTF VOR, R 203°.

NOTE: On final approach to Runway 21, do not descend below 4400′ until radar controller has advised passing the 4074′ stack, 5 miles NE of airport.

#400–¾ authorized, with operative high-intensity runway lights, except for 4-engine turbojets.
$500–¾ authorized, with operative high-intensity runway lights, except for 4-engine turbojets.
**500–¾ authorized, with operative high-intensity runway lights, except for 4-engine turbojets; 500–½ authorized with operative ALS except for 4-engine turbojets.
*5100′ required within 3 miles of 4074′ stack, 4.5 miles NW of radar site.

City, Great Falls; State, Mont.; Airport name, Great Falls International; Elev., 3671′; Fac. Class. and Ident., Great Falls Radar; Procedure No. 1, Amdt. 1; Eff.date, 12 Mar. 66; Sup. Amdt. No. Orig.; Dated, 29 Jan. 66

Within 10 miles: 340°–040°—3000′; 040°–135°—1500′; 135°–183°—2400′; 183°–260°—1500′; 260°–308°—3800′; 308°–340°—3200′. Within 20 miles: 332°–002°—6000′; 002°–053°—7500′; 053°–082°—2500′; 082°–128°—2000′; 128°–183°—2400′; 183°–254°—1500′; 254°–310°—3800′; 310°–322°—4300′. Within 30 miles: 001°–013°—8500′; 013°–045°—10000′; 045°–061°—7500′; 061°–093°—3500′; 093°–124°—2500′; 124°–153°—2000′; 153°–193°—4000′; 193°–254°—2000′; 254°–266°—4000′; 266°–308°—5000′; 308°–344°—6000′; 344°–001°—7500′.				Precision approach			
				C–dn	500–1	600–1	600–1½
				S–dn–25L**	200–½	200–½	200–½
				A–dn	600–2	600–2	600–2
				Surveillance approach			
				T–dn#	300–1	300–1	200–½
				C–dn	500–1	600–1	600–1½
				S–dn 7L/R, 6†¢	500–1	500–1	500–1
				S–dn 25L/R, 24.*¢	400–1	400–1	400–1
				A–dn	800–2	800–2	800–2

Radar term area trans altitudes—bearings are from radar site clockwise.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, Runway 25 L/R: Climb to 2000′ via LAX VOR, R 248° within 15 miles. Runway 24: Climb to 2000′ heading, 250° to intercept and proceed via LAX VOR, R276° within 15 miles. Runways 7 L/R, 6: Climb to 2000′ direct to Downey RBn, not authorized beyond Downey or, when authorized by ATC, climb to 2000′ to Firestone Int via LAX VOR, R 069°.

¢Runways 24, 25 L/R: Maintain 1000′ or above until within 3 miles of runway.
**RVR 2400′. Descent below 326′ not authorized unless approach lights are visible.
#RVR2400′ authorized Runway 25 L/R.
†500–¾ (RVR 4000′) authorized, with operative high-intensity runway lights, except for 4-engine turbojets.
*400–¾ (RVR 4000′) authorized, with operative high-intensity runway lights, except for 4-engine turbojets.

City, Los Angeles; State, Calif.; Airport name, Los Angeles International; Elev., 126′; Fac. Class. and Ident., Los Angeles Radar; Procedure No. 1, Amdt. 20; Eff. date, 12 Mar. 66; Sup. Amdt. No. 19; Dated, 15 May 65

045°–295°	295°–330°	Within: 20 miles	2000	Surveillance approach			
330°–045°	045°–080°	20 miles	2200	T–dn**	300–1	300–1	200–½
295°–080°	080°–295°	20 miles	2400	C–dn*	500–1	500–1	500–1½
		10 miles	1800	S–dn#*	500–1	500–1	500–1
		10 miles	1500	A–dn	800–2	800–2	800–2
				Precision approach			
				S–dn–9##	200–½	200–½	200–½
				A–dn–9	600–2	600–2	600–2

Radar terminal area transition altitudes—All bearings are from the radar site with sector azimuth progressing clockwise.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb to 2000′ and proceed direct to Woodstown VOR. Hold SW, 1-minute left turns, Inbnd crs, 031°.

Other change: Deletes C–dn–4, 22 minimums.

#Runways 9, 17, 27, 35.
*Runway 27 only descent below 700′ not authorized until passing 5-mile Radar Fix.
**RVR 2000′ authorized Runway 9.
##RVR 2000′. Descent below 214′ not authorized unless approach lights are visible.

City, Philadelphia; State, Pa.; Airport name, Philadelphia International; Elev., 14′; Fac. Class. and Ident., Philadelphia Radar; Procedure No. 1, Amdt. 9; Eff. date, 12 Mar. 66; Sup. Amdt. No. 8; Dated, 15 June 63

These procedures shall become effective on the dates specified therein.

(Secs. 307(c), 313(a), 601, Federal Aviation Act of 1958; 49 U.S.C. 1348(c), 1354(a), 1421; 72 Stat. 749, 752, 775)

Issued in Washington, D.C., on February 4, 1966.

C. W. WALKER,
Acting Director, Flight Standards Service.

[F.R. Doc. 66–3368; Filed, Mar. 28, 1966; 8:52 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Necessity To Disclose Foreign Origin of Strain Release Device if Servomotor Is Labeled as "Made in U.S."

§ 15.20 Necessity to disclose foreign origin of strain release device if servomotor is labeled as "Made in U.S."

(a) The Commission has issued an advisory opinion in which it advised a manufacturer that it would be improper to label its servomotors as "Made in U.S." since that would constitute an affirmative representation they were entirely made in this country, which is not the fact, unless the label also discloses in a clear and conspicuous manner that the strain release device is imported from West Germany.

(b) The Commission's opinion was rendered in response to a factual situation where all components of the servomotor, except the strain release device, are of domestic origin. The strain release device is to be imported in an assembled state from West Germany, and it represents approximately 5 percent of the total cost of all the components. The servomotors will be sold in the United States and in foreign countries.

(c) In its opinion the Commission also took the position that the disclosure requirement would also be applicable, even though the manufacturer decided at a later date to import the strain release device unassembled and assemble it here in the United States.

(d) Finally, the Commission's opinion noted that it would have authority to impose the same requirement in connection with the sale of servomotors in foreign countries, provided they were being sold in competition with other American manufacturers.

(38 Stat. 717, as amended; 15 U.S.C. 41–58)

Issued: March 28, 1966.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 66-3317; Filed, Mar. 28, 1966; 8:50 a.m.]

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

"Free" Offer of Merchandise

§ 15.21 "Free" offer of merchandise.

(a) The Federal Trade Commission rendered an advisory opinion on a retailer's proposal to offer a stereo record player for "absolutely nothing" with the purchase of one stereo record a week for fifty weeks.

(b) The concern had asserted that it does not retail the record player by itself for less than $249 and that the records are high quality stereo records which it retails for $4.98 and it does not know of anyone else selling them for less. Thus, it stated, the customer would pay $249 for the record player and the records, which is the price normally paid for the set alone.

(c) The Commission informed the retailer, "Since the matter you have presented is wholly dependent upon the facts, it is difficult to render a categorical opinion. When a seller offers to supply one article 'free,' or 'at no extra cost,' or for 'absolutely nothing' in conjunction with the purchase of another article, he is thereby representing to prospective customers that the article required to be purchased is being sold at no more than the price at which it is usually sold in substantial quantities. You will note that we are not dealing here with abstract evaluations, but rather with concrete selling prices.

(d) "Thus if the records which are to be offered those who accept this offer are currently being sold in substantial quantities for $4.98, there could be no objection to the offer on that score. On the other hand, if such records are what is known in the trade as 'low cost,' 'cutouts,' 'budget lines,' etc., which normally command a much lower selling price, the offer would be deceptive even though the records may be listed at $4.98 for advertising or preticketing purposes. In that event, instead of purchasing current records at the prevailing market price and receiving a record player at no extra cost, the purchaser would be paying a high, nationally advertised, price for records worth a fraction of that value, the substantial markup thereby defraying the cost of the record player.

(e) "Although the sample of the promotion letter you furnished contains no representation of the value of the record player, the same general principles would apply if such representations are made. Thus, to avoid any basis for deception, representations of price or value of the record player must reflect the actual or prevailing market price at which sales of that product are currently being made in substantial quantities."

(f) The Commission also noted that the promotion letter states "Have you ever been called 'Lucky'? Well Congratulations" and urges the customer to "come in before the expiration date."

(g) "If, in fact," the advisory opinion commented, "the offer is available to more than a few selected persons, or continues for an extended or indefinite period of time, then the representations in the promotion letter would be false and deceptive."

(38 Stat. 717, as amended; 15 U.S.C. 41–58)

Issued: March 28, 1966.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 66-3318; Filed, Mar. 28, 1966; 8:50 a.m.]

PART 75—HOUSEHOLD FURNITURE INDUSTRY

Interpretation of Trade Practice Rules

§ 75.101 Interpretations.

(a) The Federal Trade Commission interprets paragraph (a) and the concluding Note in § 75.3 of the trade practice rules for the Household Furniture Industry as requiring that when a wood name is used in advertising or labeling to describe the grain design and/or color of a stain finish or other type of simulated finish which has been applied to a surface composed of something other than solid wood of the type named, it must be made clear that the wood name used is merely descriptive of the grain design and/or color or other simulated finish.

(b) Under this interpretation, unqualified phrases such as "walnut finish" and "mahogany finish" will not satisfy this requirement. But statements such as "walnut grained plastic top," "walnut color," "walnut stain," "maple stained finish," "mahogany finish on gum" and "walnut finished hardwoods" (or "softwoods," as the case may be) will satisfy this requirement if such statements are factually correct and appear in contexts which are otherwise nondeceptive.

(c) Section 75.2(3)(ii) which relates to similar representations will be interpreted consistently with the foregoing.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45)

Approved: March 21, 1966.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 66-3319; Filed, Mar. 28, 1966; 8:51 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER A—GENERAL

PART 8—COLOR ADDITIVES

Subpart D—Listing of Color Additives for Food Use Exempt From Certification

TAGETES EXTRACT

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 706 (b)(1), (c)(2), (d), 74 Stat. 399, 402; 21 U.S.C. 376 (b)(1), (c)(2), (d)), and under the authority delegated to him by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008), the Commissioner of Food and Drugs, based on a petition (CAP 33) filed by Markel and Hill, counsel for Special Nutrients, Inc., 9814 West Broadview Drive, Bay Harbor Islands, Fla., 33154, and other relevant material, finds that tagetes (Aztec marigold) extract is safe for use as a color additive in poultry

feed under the conditions prescribed in this order, and that certification is not necessary for the protection of the public health. *Therefore, it is ordered,* That the color additive regulation providing for the safe use of tagetes (Aztec marigold) meal be revised to include the extract. Accordingly, § 8.306 is revised to read as follows:

§ 8.306 Tagetes (Aztec marigold) meal and extract.

(a) *Identity.* (1) The color additive tagetes (Aztec marigold) meal is the dried, ground flower petals of the Aztec marigold (*Tagetes erecta* L.) mixed with not more than 0.3 percent ethoxyquin.

(2) The color additive tagetes (Aztec marigold) extract is a hexane extract of the flower petals of the Aztec marigold (*Tagetes erecta* L.). It is mixed with an edible vegetable oil, or with an edible vegetable oil and a hydrogenated edible vegetable oil, and not more than 0.3 percent ethoxyquin. It may also be mixed with soy flour or corn meal as a carrier.

(b) *Specifications.* (1) Tagetes (Aztec marigold) meal is free from admixture with other plant material from *Tagetes erecta* L. or from plant material or flowers of any other species of plants.

(2) Tagetes (Aztec marigold) extract shall be prepared from tagetes (Aztec marigold) petals meeting the specifications set forth in subparagraph (1) of this paragraph and shall conform to the following additional specifications:

Melting point	53.5°–55.0° C.
Iodine value	132–145.
Saponification value	175–200.
Acid value	0.60–1.20.
Titer	35.5°–37.0° C.
Unsaponifiable matter	23.0 percent–27.0 percent.
Hexane residue	Not more than 25 p.p.m.

All determinations, except the hexane residue, shall be made on the initial extract of the flower petals (after drying in a vacuum oven at 60° C. for 24 hours) prior to the addition of the oils and ethoxyquin. The hexane determination shall be made on the color additive after the addition of the vegetable oils, hydrogenated vegetable oils, and ethoxyquin.

(c) *Uses and restrictions.* The color additives tagetes (Aztec marigold) meal and extract may be safely used in chicken feed in accordance with the following prescribed conditions:

(1) The color additives are used to enhance the yellow color of chicken skin and eggs.

(2) The quantity of the color additives incorporated in the feed is such that the finished feed:

(i) Is supplemented sufficiently with xanthophyll and associated carotenoids so as to accomplish the intended effect described in subparagraph (1) of this paragraph; and

(ii) Meets the tolerance limitation for ethoxyquin in animal feed prescribed in § 121.202 of this chapter.

(d) *Labeling requirements.* The label of the color additives and any premixes prepared therefrom shall bear, in addition to the information required by § 8.32:

(1) A statement of the concentrations of xanthophyll and ethoxyquin contained therein.

(2) Adequate directions to provide a final product complying with the limitations prescribed in paragraph (c) of this section.

(e) *Exemption from certification.* Certification of this color additive is not necessary for the protection of the public health, and therefore batches thereof are exempt from the certification requirements of section 706(c) of the act.

Any person who will be adversely affected by the foregoing order may at any time within 30 days following the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing, and such objections must be supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective 60 days from the date of its publication in the FEDERAL REGISTER, except as to any provisions that may be stayed by the filing of proper objections. Notice of the filing of objections or lack thereof will be announced by publication in the FEDERAL REGISTER.

(Sec. 706 (b)(1), (c)(2), (d), 74 Stat. 399, 402; 21 U.S.C. 376 (b)(1), (c)(2), (d))

Dated: March 21, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-3287; Filed, Mar. 28, 1966; 8:48 a.m.]

PART 8—COLOR ADDITIVES

Subpart F—Listing of Color Additives for Drug Use Exempt From Certification

PYROPHYLLITE

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 706 (b), (c)(2), (d), 74 Stat. 399, 402; 21 U.S.C. 376 (b), (c)(2), (d)), and under the authority delegated to him by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008), the Commissioner of Food and Drugs, based on a petition (CAP 15) filed by R. T. Vanderbilt Co., Inc., 230 Park Avenue, New York, N.Y., 10017, and other relevant material, finds that pyrophyllite is safe for use as a color additive in or on externally applied drugs under the conditions prescribed in this order, and that certification is not necessary for the protection of the public health. *Therefore, it is ordered,* That Part 8 be amended by adding to Subpart F the following new section:

§ 8.6006 Pyrophyllite.

(a) *Identity.* (1) The color additive pyrophyllite is a naturally occurring mineral substance consisting predominantly of a hydrous aluminum silicate, $Al_2O_3 \cdot 4SiO_2 \cdot H_2O$, intimately mixed with lesser amounts of finely divided silica, SiO_2. Small amounts, usually less than 3 percent, of other silicates, such as potassium aluminum silicate, may be present. Pyrophyllite may be identified and semiquantitatively determined by its characteristic X-ray powder diffraction pattern and by its optical properties.

(2) Color additive mixtures made with pyrophyllite are limited to those listed in this Subpart F as safe and suitable in color additive mixtures for coloring externally applied drugs.

(b) *Specifications.* Pyrophyllite shall conform to the following specifications:

Lead (as Pb), not more than 20 parts per million.
Arsenic (as As), not more than 3 parts per million.

Lead and arsenic shall be determined in the solution obtained by boiling 10 grams of the pyrophyllite for 15 minutes in 50 milliliters of 0.5*N* hydrochloric acid.

(c) *Uses and restrictions.* Pyrophyllite may be safely used in amounts consistent with good manufacturing practice to color drugs that are to be externally applied.

(d) *Labeling requirements.* The labeling of the color additive and any mixtures prepared therefrom intended solely or in part for coloring purposes shall conform to the requirements of § 8.32.

(e) *Exemption from certification.* Certification of this color additive is not necessary for the protection of the public health, and therefore batches thereof are exempt from the certification requirements of section 706(c) of the act.

Any person who will be adversely affected by the foregoing order may at any time within 30 days following the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing, and such objections must be supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective 60 days from the date of its publication in the FEDERAL REGISTER, except as to any provisions that may be stayed by the filing of proper objections. Notice of the filing of objections or lack thereof will be announced by publication in the FEDERAL REGISTER.

(Sec. 706 (b), (c) (2), (d), 74 Stat. 399, 402; 21 U.S.C. 376 (b), (c) (2), (d))

Dated: March 21, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-3288; Filed, Mar. 28, 1966; 8:48 a.m.]

SUBCHAPTER E—REGULATIONS UNDER SPECIFIC ACTS OF CONGRESS OTHER THAN THE FEDERAL FOOD, DRUG, AND COSMETIC ACT

PART 281—ENFORCEMENT OF THE TEA IMPORTATION ACT

Tea Standards 1966–67

Pursuant to the authority vested in the Secretary of Health, Education, and Welfare by the Tea Importation Act (secs. 2, 10, 29 Stat. 607, 41 Stat. 712, 57 Stat. 500; 21 U.S.C. 42, 50), and delegated to the Commissioner of Food and Drugs by the Secretary (21 CFR 2.120; 31 F.R. 3008), the regulations for the enforcement of this act (21 CFR Part 281) are amended by changing § 281.19 (a) to read as follows:

§ 281.19 Tea standards.

(a) Samples for standards of the following teas, prepared, identified, and submitted by the Board of Tea Experts on February 25, 1966, are hereby fixed and established as the standards of purity, quality, and fitness for consumption under the Tea Importation Act for the year beginning May 1, 1966, and ending April 30, 1967:

(1) Formosa oolong.

(2) Ceylon black (all black tea except Formosa and Japan black and congou type).

(3) Formosa black (Formosa and Japan black and congou type).

(4) Japan green.

(5) Canton type (all Canton type teas including scented Canton and Canton oolong types).

These standards apply to tea shipped from abroad on or after May 1, 1966. Tea shipped prior to May 1, 1966, will be governed by the standards that became effective May 1, 1965 (30 F.R. 2438).

* * * * *

Notice and public procedure are not necessary prerequisites to the promulgation of this order, and I so find, since the amendment is based upon the recommendation of the Board of Tea Experts, which is comprised of tea experts drawn from the Food and Drug Administration and the tea trade, so as to be representative of the trade as a whole.

Effective date. This order shall become effective May 1, 1966.

(Secs. 2, 10, 29 Stat. 607, 41 Stat. 712, 57 Stat. 500; 21 U.S.C. 42, 50)

Dated: March 22, 1966.

JAMES L. GODDARD.

[F.R. Doc. 66-3313; Filed, Mar. 28, 1966; 8:50 a.m.]

Title 28—JUDICIAL ADMINISTRATION

Chapter I—Department of Justice

[Order 356-66]

PART 0—ORGANIZATION OF THE DEPARTMENT OF JUSTICE

Subpart H—Antitrust Division

ASSIGNING TO ASSISTANT ATTORNEY GENERAL IN CHARGE OF ANTITRUST DIVISION FUNCTION AND AUTHORITY TO DESIGNATE ATTORNEYS TO APPEAR BEFORE GRAND JURIES

Under and by virtue of the authority vested in me by section 161 of the Revised Statutes (5 U.S.C. 22) and section 2 of Reorganization Plan No. 2 of 1950 (64 Stat. 1261), § 0.40(a) of Part 0 of Title 28 of the Code of Federal Regulations (Order No. 271-62) is hereby amended to read as follows:

§ 0.40 General functions.

* * * * *

(a) General enforcement, by criminal and civil proceedings, of the Federal antitrust laws and other laws relating to the protection of competition and the prohibition of restraints of trade and monopolization, including conduct of surveys of possible violations of antitrust laws, conduct of grand jury proceedings, designation of attorneys to present evidence to grand juries, issuance and enforcement of civil investigative demands, civil actions to obtain orders and injunctions, civil actions to recover forfeitures or damages for injuries sustained by the United States as a result of antitrust law violations, proceedings to enforce compliance with final judgments in antitrust suits, and negotiation of consent judgments in civil actions; criminal actions to impose penalties including actions for the imposition of penalties for conspiring to defraud the Federal Government by violation of the antitrust laws, participation as amicus curiae in private antitrust litigation; and prosecution or defense of appeals in antitrust proceedings.

* * * * *

(R.S. 161; 5 U.S.C. 22; sec. 2, Reorg. Plan No. 2 of 1950; 3 CFR, 1949-53 Comp.; 64 Stat. 1261)

Dated: March 25, 1966.

NICHOLAS DEB. KATZENBACH,
Attorney General.

[F.R. Doc. 66-3379; Filed, Mar. 28, 1966; 8:52 a.m.]

[Order 355-66]

PART 0—ORGANIZATION OF THE DEPARTMENT OF JUSTICE

Subpart Q—Bureau of Prisons

AUTHORIZING DIRECTOR OF BUREAU TO EXTEND LIMITS OF PLACE OF CONFINEMENT OF PRISONERS FOR CERTAIN PURPOSES

Under and by virtue of the authority vested in me by section 161 of the Revised Statutes (5 U.S.C. 22) and section 2 of Reorganization Plan No. 2 of 1950 (64 Stat. 1261), § 0.96 of Subpart Q (relating to the duties of the Director of the Bureau of Prisons) of Part 0 of Title 28 of the Code of Federal Regulations (Order No. 271-62) is hereby amended by adding a new paragraph (c-1) immediately after paragraph (c) thereof as follows:

§ 0.96 Delegations.

* * * * *

(c-1) Extending the limits of the place of confinement of prisoners for the purposes specified, and within the limits established, by section 4082 of Title 18 of the United States Code, and otherwise performing the functions of the Attorney General under that section.

* * * * *

(R.S. 161; 5 U.S.C. 22; sec. 2, Reorg. Plan No. 2 of 1950, 3 CFR 1949-53 Comp.)

Dated: March 25, 1966.

NICHOLAS DEB. KATZENBACH,
Attorney General.

[F.R. Doc. 66-3378; Filed, Mar. 28, 1966; 8:52 a.m.]

Title 32A—NATIONAL DEFENSE, APPENDIX

Chapter X—Oil Import Administration, Department of the Interior

[Rev. 4, Amdt. 8]

OI REG. 1—OIL IMPORT REGULATION

Residual Fuel Oil To Be Used as Fuel

1. On and after the effective date of this Amendment 8, none of the provisions of sections 3, 4, 5, and 9 of Oil Import Regulation 1 (Revision 4), as amended, shall be applicable with respect to imports into District I of residual fuel oil to be used as fuel.

2. Sec. 12 of Oil Import Regulation 1 (Revision 4), as amended, is further amended to read as follows:

Sec. 12. Eligibility for and allocations of residual fuel oil to be used as fuel in District I.

(a) To be eligible for an allocation of imports into District I of residual fuel oil to be used as fuel a person must:

(1) Have imported residual fuel oil to be used as fuel into District I during the calendar year 1957; or

(2) Be in the business in District I of selling residual fuel oil to be used as fuel and have under his management and operational control a deep-water terminal located in District I into which there has been delivered residual fuel oil to be used as fuel which he owned at the time of delivery, such delivery being the first delivery of that oil into a deep-water terminal in District I; or

(3) Be in the business in District I of selling residual fuel oil to be used as fuel and have a throughput agreement (warehouse agreement) with a deep-water terminal operator under which agree-

ment the person has delivered to the terminal residual fuel oil to be used as fuel which he owned when it was so delivered, such delivery being the first delivery of that oil into a deep-water terminal in District I.

(b) Subject to adjustments upward by the Secretary, the maximum level of imports of residual fuel oil to be used as fuel into District I for the allocation period April 1, 1966, through March 31, 1967, shall be 372,000 B/D. Of this amount the Administrator shall allocate 8,725 B/D in accordance with the decisions of the Oil Import Appeals Board, 5,480 B/D to the Department of Defense, 5,480 B/D to the General Services Administration, and 352,315 B/D pursuant to paragraph (c) of this section.

(c) (1) Except as provided in subparagraph (2) of this paragraph and unless an allocation under subparagraph (2) would be larger, each eligible applicant in District I who had terminal inputs as specified in paragraph (d) of section 12 of Oil Import Regulation 1 (Revision 4) Amendment 1 shall receive an allocation of imports of residual fuel oil to be used as fuel into District I based upon the applicant's terminal inputs in that district for the year ending December 31, 1965, and computed according to the following schedule:

Average B/D input	*Percent of input*
0–5,000	35
5,000+	15

(2) An eligible applicant who imported residual fuel oil to be used as fuel into District I during the calendar year 1957 shall be entitled to an allocation of imports of residual fuel oil to be used as fuel into District I in an amount which equals the quantity of such imports by the applicant into that district during the calendar year 1957 multiplied by 0.75.

(d) In addition to allocations provided for in paragraphs (b) and (c) of this section for the allocation period April 1, 1966, through March 31, 1967, within the maximum level as periodically adjusted upward by the Secretary:

(1) The Administrator shall make allocations for that allocation period to each eligible applicant in District I of such quantities of imports of residual fuel oil to be used as fuel as the applicant certifies are required by the applicant to meet his obligations under firm existing contracts between the applicant and customers in District I less the quantity received by such applicant under an allocation made pursuant to paragraph (b) or (c). The Administrator shall issue licenses under such allocations to such applicant in such amounts as the applicant certifies have been delivered to customers during the allocation period under such contracts; and

(2) The Administrator shall make allocations for that allocation period and simultaneously issue licenses to each eligible applicant in District I of imports of residual fuel oil to be used as fuel in quantities equal to the quantities of such product which the applicant certifies that he has sold and delivered to customers in District I, exclusive of quantities which the applicant has delivered under contracts and which constitute the basis for the issuance of licenses pursuant to subparagraph (1) of this paragraph.

(e) The Administrator shall formulate procedures for making allocations and issuing licenses pursuant to paragraph (d) of this section.

(f) No allocation made pursuant to this section may be sold, assigned, or otherwise transferred.

3. Section 12A of Oil Import Regulation 1 (Revision 4) (30 F.R. 2212) is amended to read as follows:

Sec. 12A. Emergency advances.

Upon a showing, satisfactory to the Administrator, that such action is necessary to avoid imperiling the health, safety, or operations of consumers which the holder of an allocation serves, the Administrator may, in his discretion, through the issuance of a special allocation and license permit the holder of an allocation of imports into District I of residual fuel oil to be used as fuel to import during the last quarter of an allocation period a quantity of imports not in excess of 25 percent of his current allocation. In connection with each application for a special allocation and license, the Administrator shall require a full disclosure of the requirements of the consumers involved, the efforts of such consumers and of the applicant to obtain supplies of residual fuel oil to be used as fuel, and the consumers' ability to utilize alternative fuels and the availability to them of such fuels. In those instances in which the Administrator determines to issue a special allocation and license under this section, the quantity of imports covered by the special license shall be no larger than the Administrator determines is necessary to give relief in the particular circumstances and in no event shall it exceed 25 percent of the allocation which is currently in effect. Actions taken by the Administrator under this section shall constitute adjustments in the maximum level of imports into District I of residual fuel oil to be used as fuel pursuant to paragraph (d) of section 2 of Proclamation 3279, as amended. No special allocation or license issued pursuant to this section may be sold, assigned, or otherwise transferred. This section shall cease to be in force as of April 1, 1966.

Because allocations must be made and licenses issued before April 1, 1966, it is impracticable to give notice of proposed rule making on, or to delay the effective date of this amendment. Accordingly, this amendment shall become effective immediately.

STEWART L. UDALL,
Secretary of the Interior.

MARCH 25, 1966.

[F.R. Doc. 66-3433; Filed, Mar. 28, 1966; 12:01 p.m.]

Title 36—PARKS, FORESTS, AND MEMORIALS

Chapter II—Forest Service, Department of Agriculture

[Reg. U-4]

PART 251—LAND USES

Experimental Areas and Research Natural Areas

Section 251.23 of Title 36, Code of Federal Regulations, is amended to read as follows:

§ 251.23 Experimental areas and research natural areas.

The Chief of the Forest Service shall establish and permanently record a series of areas on National Forest land to be known as experimental forests or experimental ranges, sufficient in number and size to provide adequately for the research necessary to serve as a basis for the management of forest and range land in each forest region. Also, when appropriate, the Chief shall establish a series of research natural areas, sufficient in number and size to illustrate adequately or typify for research or educational purposes, the important forest and range types in each forest region, as well as other plant communities that have special or unique characteristics of scientific interest and importance. Research Natural Areas will be retained in a virgin or unmodified condition except where measures are required to maintain a plant community which the area is intended to represent. Within areas designated by this regulation, occupancy under a special-use permit shall not be allowed, nor the construction of permanent improvements permitted except improvements required in connection with their experimental use, unless authorized by the Chief of the Forest Service.

(30 Stat. 35, as amended, 16 U.S.C. 551)

Done at Washington, D.C., this 24th day of March 1966.

JOHN A. BAKER,
Assistant Secretary.

[F.R. Doc. 66-3338; Filed, Mar. 28, 1966; 8:52 a.m.]

Title 50—WILDLIFE AND FISHERIES

Chapter II—Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior

SUBCHAPTER F—AID TO FISHERIES

PART 250—FISHERIES LOAN FUND PROCEDURES

Change of Interest Rate

On page 3466 of the FEDERAL REGISTER of March 5, 1966, there was published a notice and text of a proposed amendment

to Part 250. The purpose of the amendment is to change the interest rate from 5 percent to 5½ percent on fisheries loans authorized on and after April 1, 1966.

Interested persons were given 20 days within which to submit written comments, suggestions, or objections with respect to the proposed amendment. No comments, suggestions, or objections were received. The proposed amendment is hereby adopted. These regulations shall become effective on April 1, 1966.

Section 250.10 is amended by deleting "5 percent" and substituting "5½ percent."

D. L. McKERNAN,
Director,
Bureau of Commercial Fisheries.

MARCH 25, 1966.

[F.R. Doc. 66-3362; Filed, Mar. 28, 1966; 8:52 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Research Service

[7 CFR Part 319]

FOREIGN QUARANTINE NOTICES

Notice of Proposed Rule Making

Notice is hereby given under section 4 of the Administrative Procedure Act (5 U.S.C. 1003) that, pursuant to the provisions of sections 1 and 9 of the Plant Quarantine Act of 1912, as amended (7 U.S.C. 154, 162), it is proposed to amend § 319.37–19(c) of the regulations relating to the importation of nursery stock, plants, and seeds (7 CFR 319.37–19(c)), by adding to the tabular material therein, in the proper alphabetical order, the following item:

§ 319.37–19 Postentry quarantine.

* * * * *

(c) * * *

Plants to be grown under postentry quarantine	*Where imported from*
Chrysanthemum spp.....	All foreign countries.

* * * * *

(Secs. 1 and 9, 37 Stat. 315, 318, as amended; 7 U.S.C. 154, 162; 7 CFR 319.37–19(c); 29 F.R. 16210, as amended, 30 F.R. 5801, 31 F.R. 1208, 3350)

The proposed amendment would, if adopted, place further restrictions upon the importation of all plants of the genus Chrysanthemum by imposing the postentry quarantine requirements set forth in § 319.37–19 upon the importation of such plants from all foreign countries. It has been determined that the "white rust" of chrysanthemums, probably a native of Japan or China, has also been reported from the Republic of South Africa, Denmark, Norway, and the British Isles. It may also occur in other countries. The disease can be quite injurious to chrysanthemums under certain conditions. Therefore, it is considered advisable to require that plant material of the genus Chrysanthemum from all foreign countries be grown under postentry quarantine.

All persons who desire to submit written data, views, or arguments in connection with this matter should file the same with the Director of the Plant Quarantine Division, Agricultural Research Service, U.S. Department of Agriculture, Hyattsville, Md., 20782, within 30 days after the date of publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at such times and places and in a manner convenient to the public business (7 CFR 1.27(b)).

Done at Washington, D.C., this 24th day of March 1966.

[SEAL] R. J. ANDERSON,
Deputy Administrator,
Agricultural Research Service.

[F.R. Doc. 66–3336; Filed, Mar. 28, 1966; 8:51 a.m.]

Consumer and Marketing Service

[7 CFR Part 52]

STANDARDS FOR GRADES OF GREEN OLIVES

Additional Time for Filing Written Data, Views, and Arguments

A proposal to revise the U.S. Standards for Grades of Green Olives was published in the FEDERAL REGISTER of September 14, 1965 (30 F.R. 11723). A notice in the FEDERAL REGISTER of January 8, 1966 (31 F.R. 270), extended the originally published time for receiving written data, views, and arguments to April 1, 1966.

Requests from producers and packagers of olives indicates a need for still more time in which to submit meaningful comments. In consideration of such interest, notice is hereby given that the time for receiving written data, views, or arguments in connection with the proposed revision to the U.S. Standards for Grades of Green Olives has been further extended to May 2, 1966.

All persons who wish to submit written data, views or arguments within the additional time for consideration in connection with the proposal should file the same—in duplicate—with the Hearing Clerk, Room 112–A, U.S. Department of Agriculture, Washington, D.C., 20250, on or before May 2, 1966. Comments received will be available for public inspection.

(Sec. 205, 60 Stat. 1090, as amended; 7 U.S.C. 1624)

Dated: March 24, 1966.

G. R. GRANGE,
Deputy Administrator,
Marketing Services.

[F.R. Doc. 66–3298; Filed, Mar. 28 1966; 8:49 a.m.]

[7 CFR Part 910]

LEMONS GROWN IN CALIFORNIA AND ARIZONA

Notice of Proposed Rule Making

Notice is hereby given that the Department is considering a proposed amendment, as hereinafter set forth, to the rules and regulations (Subpart—Rules and Regulations; 7 CFR 910.100 et seq.) currently in effect pursuant to the applicable provisions of the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona. This is a regulatory program effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674).

The amendments to said rules and regulations were proposed by the Lemon Administrative Committee, established under said amended marketing agreement and order as the agency to administer the terms and provisions thereof. The proposed amendments would (1) reapportion the membership of the committee to reflect the reduction in the total quantity of lemons being handled by other than cooperative marketing organizations which market lemons, and (2) reduce the required number of meetings at which the growers not affiliated with cooperative marketing organizations would select nominees for member and alternate members of the committee.

The proposed amendments are as follows:

1. Delete the provisions of paragraphs (b) and (c) of § 910.116 *Manner of nomination*, and substitute in lieu thereof revised paragraphs (b) and (c) as follows:

§ 910.116 Manner of nomination.

* * * * *

(b) Each cooperative marketing organization, other than the one described in paragraph (a) of this section, shall nominate by resolution adopted by its board of directors three (3) grower members and three (3) alternate grower members of the committee; and one (1) handler member and one (1) alternate handler member of the committee. Each nominee shall be assigned a vote equal to the volume (in terms of cartons) of lemons which the organization making the nomination handled during the current fiscal year to the end of the month preceding the month in which such nominations are made. The nominees for members and alternate members so receiving the largest total vote shall be the respective nominee for the particular position.

(c) Not less than two (2) meetings shall be held, at such times and places throughout the lemon producing districts of the production area as may be designated by the agent of the Secretary, at which growers who are not affiliated with any of the organizations included in paragraphs (a) and (b) of this section may vote. Adequate notice of each such meeting shall be given by such agent. At each such meeting the growers present shall nominate one (1) grower member, one (1) alternate grower member, one (1) handler member and one (1) alternate handler member. At least one of the growers so nominated shall be from District 3. Each grower voting at any such meeting shall submit his name and address to the agent of the Secretary. The nominated member and

alternate member receiving the highest total number of votes cast at all meetings for the respective positions in the final balloting of each of such meetings shall be the nominees for such positions, and provided at least one of such nominees shall be a grower from District 3. If none of these nominated from District 3 would become the nominee on the basis of the highest total number of votes cast at all meetings, then the nominated grower alternate member from District 3 who receives a higher total number of votes cast at all meetings than any other such alternate member shall be the nominee for grower alternate member.

2. Delete the provisions of paragraphs (a) and (b) of § 910.117 *Changes in nomination and selection of grower members and alternate grower members of the Lemon Administrative Committee*, and substitute in lieu thereof revised paragraphs (a) and (b), as follows:

§ 910.117 Changes in nomination and selection of grower members of Lemon Administrative Committee.

(a) The number of grower members and alternate grower members to be nominated and selected pursuant to § 910.22(c) and the third sentence of § 910.23, respectively, shall be three (3) grower members and three (3) alternate grower members.

(b) The number of grower members and alternate grower members to be nominated and selected pursuant to § 910.22(d) and the fourth sentence of § 910.23, respectively, shall be one (1) grower member and one (1) alternate grower member: *Provided*, That at least one of the growers so selected shall be a grower of lemons in District 3.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposed amendments shall file the same, in quadruplicate, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C., 20250, not later than the 10th day after publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Dated: March 24, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-3301; Filed, Mar. 28, 1966; 8:49 a.m.]

ATOMIC ENERGY COMMISSION

[10 CFR Ch. 1]

GENERAL POLICY FOR AVOIDANCE OF ORGANIZATIONAL CONFLICTS OF INTEREST

Extension of Time for Public Comment

In the FEDERAL REGISTER of February 12, 1966 (31 F.R. 2699), the Commission published for public comment a proposed statement of general policy for the avoidance of organizational conflicts of interest. Public comments were invited within 45 days after initial publication of the proposed statement in the FEDERAL REGISTER.

Interested members of the public have requested extension of the comment period.

Notice is hereby given that the Commission has extended the comment period for an additional 30 days after the date of publication of this notice in the FEDERAL REGISTER. All interested persons desiring to submit comments for the consideration of the Commission in connection with the proposed statement should send them, in triplicate, to the Secretary, U.S. Atomic Energy Commission, Washington, D.C., 20545.

Dated at Washington, D.C., this 25th day of March 1966.

For the U.S. Atomic Energy Commission.

W. B. MCCOOL,
Secretary.

[F.R. Doc. 66-3409; Filed, Mar. 28, 1966; 10:10 a.m.]

[10 CFR Parts 70, 150]

SPECIAL NUCLEAR MATERIAL

Exemptions and Continued Regulatory Authority in Agreement States

Public Law 88-489, approved on August 26, 1964, amended the Atomic Energy Act of 1954, as amended ("the Act"), to provide for private ownership of special nuclear material. On September 21, 1965, the Commission published in the FEDERAL REGISTER (30 F.R. 12039) proposed amendments of its regulations 10 CFR Parts 50, 70, 115 and 140 to reflect the Commission's new authority to issue licenses to receive title to, own, acquire, deliver, import, or export, under the terms of an agreement for cooperation arranged pursuant to section 123 of the Act, special nuclear material. The Commission included in the notice of proposed rule making a statement that the Commission intended to consider additional amendments to Part 70 regarding accountability and reporting requirements and instructions applicable to privately-owned material.

The effect of the amendments discussed below would be to extend the Commission's existing regulations requiring transfer and status reports regarding special nuclear material. Whereas the presently effective regulations relate only to special nuclear material distributed by the Commission pursuant to section 53 of the Act, the proposed amendments would require such reports also with respect to all privately-owned material, regardless of its origin. The Commission's consideration of these amendments is part of an overall review of its policies and regulations for safeguarding special nuclear material.

Section 70.54 of 10 CFR Part 70, as presently written, prescribes a standard transfer and receipting form (Form AEC-388) to be used by AEC licensees in initiating and receipting shipments of special nuclear material which has been distributed by the Commission pursuant to section 53 of the Act. Section 70.53 of 10 CFR Part 70, as presently written, requires the submission to the Commission of semiannual reports of receipts, transfers, and inventories of special nuclear material which has been so distributed.

Receipt of these reports by the Commission serves two objectives. They make available to the Commission information constituting an integral part of the AEC system for billing licensees for use or loss of, and related charges for, special nuclear material leased from the Commission pursuant to section 53 of the Act. They also enable the Commission to maintain, in the interest of the common defense and security, information as to the location of all special nuclear material distributed by the Commission pursuant to section 53 of the Act. The present language of §§ 70.53 and 70.54 of 10 CFR Part 70 is sufficiently broad to require the submission of reports concerning receipts and transfers of leased and purchased material distributed by the Commission pursuant to section 53 of the Act.

In general, § 150.10 of 10 CFR Part 150, "Exemptions and Continued Regulatory Authority in Agreement States[1] Under Section 274," exempts Agreement State licensees from the requirements of 10 CFR Part 70, including the reporting requirements of §§ 70.53 and 70.54. However, the Commission has required the submission of such reports by persons in Agreement States under lease agreements providing for the distribution of special nuclear material pursuant to section 53 or the Act.

The Commission has concluded that in the interest of the common defense and security the Commission should maintain records of the location of all privately owned special nuclear material in the United States, including special nuclear material privately produced in the United States and special nuclear material imported into the United States.

Accordingly, the proposed amendments of § 70.54 of 10 CFR Part 70 would extend the present reporting requirements to make them applicable not only to special nuclear material distributed by the Commission pursuant to section 53 of the Act, but also to privately owned special nuclear material otherwise acquired by licensees.

The proposed amendment of Part 150 would (1) add a new § 150.16 to require persons in Agreement States who receive, possess or transfer special nuclear material, pursuant to an Agreement State license, to report to the Commission receipts and transfers of such material, regardless of its ownership or origin, and to report semiannually to the Commission as to their holdings, and (2) amend § 150.10 to revise the general exemption provisions of that section to take into

[1] States to which the Commission has transferred certain regulatory authority over radioactive material by formal agreements, pursuant to section 274 of the Atomic Energy Act of 1954, as amended.

account the new reporting requirements established in § 150.16. The effect of these amendments of Part 150 would be to require, by regulation, the same information of persons licensed by Agreement States as is to be required of AEC licensees under §§ 70.53 and 70.54, as proposed to be amended.

The present reporting forms AEC–388 (Material Transfer Report) and AEC–578 (Material Status Report) were designed to accommodate the reporting of data concerning material leased from the Commission. Since the Commission anticipates these forms may be revised in the coming months, it is proposed, in the interest of economy, to defer until that time the form changes which otherwise would be made at this time to accommodate the reporting of privately owned material. As an interim measure, therefore, supplementary instruction sheets will be furnished to interested persons to inform them how the existing forms should be prepared when submitting reports on privately owned material.

As indicated above, the purpose of these proposed amendments of the Commission's regulations is to enable the Commission to maintain records of the location of all privately owned special nuclear material in the United States. The Commission is also considering whether to adopt additional amendments which would require licensees having physical possession of or transferring material to report transfer of ownership by appropriate notations on Form AEC–388, "Material Transfer Report." Such additional data would enable the Commission to maintain records of the ownership of privately owned special nuclear material.

Pursuant to the Atomic Energy Act of 1954, as amended, and the Administrative Procedure Act of 1946, notice is hereby given that adoption of the following amendments of 10 CFR Parts 70 and 150 is contemplated. All interested persons who desire to submit written comments or suggestions in connection with the proposed amendments should send them to the Secretary, U.S. Atomic Energy Commission, Washington, D.C., 20545, within 60 days after publication of this notice in the FEDERAL REGISTER. Comments upon the proposed inclusion in Material Transfer Reports of information regarding ownership of special nuclear material, discussed above, are also invited in that period. Comments received after that period will be considered if it is practicable to do so, but assurance of consideration cannot be given except as to comments filed within the period specified.

1. Section 70.53 of 10 CFR Part 70 is revised to read as follows:

§ 70.53 Material status reports.

Each licensee shall submit to the Commission on Form AEC–578 reports concerning special nuclear material distributed under lease by the Commission pursuant to section 53 of the Act and received, transferred or possessed by the licensee or for which the licensee is financially responsible to the Commission. In addition, each licensee shall submit to the Commission on a separate Form AEC–578 reports concerning special nuclear material which is not owned by the U.S. Government and which has been received, produced, transferred or possessed by the licensee. All reports shall be made as of December 31 and June 30 of each year and shall be filed with the Commission within 30 days after the end of the period covered by the report, except that any licensee who during the 6 months preceding June 30 had losses or burn-up of less than 10 grams of special nuclear material and did not receive or transfer any special nuclear material, or financial responsibility to the Commission therefor, is required to file only an annual report as of December 31. The Commission may permit a licensee to submit Material Status Reports at other times when good cause is shown.

2. Section 70.54 of 10 CFR Part 70 is revised to read as follows:

§ 70.54 Material transfer reports.

Each licensee who transfers and each licensee who receives special nuclear material shall submit to the Commission on Form AEC–388, in accordance with the instructions set out therein, reports concerning (a) each transfer of special nuclear material which has been distributed under lease by the Commission pursuant to section 53 of the Act, and (b) each transfer of special nuclear material not owned by the U.S. Government at the time of the completion of the transfer. Each report shall be transmitted to the Commission promptly after the transfer takes place.

3. The first sentence of § 150.10 of 10 CFR Part 150 is revised to read as follows:

§ 150.10 Persons exempt.

Except as provided in § 150.15 and § 150.16, any person in an Agreement State who manufactures, produces, receives, possesses, uses or transfers byproduct material, source material, or special nuclear material in quantities not sufficient to form a critical mass is exempt from the requirements for a license contained in Chapters 6, 7, and 8 of the Act, regulations of the Commission imposing licensing requirements upon persons who manufacture, produce, receive, possess, use or transfer such materials, and from regulations of the Commission applicable to licensees. The exemptions in this section do not apply to agencies of the Federal Government as defined in § 150.3.

* * * * *

4. A new § 150.16 is added to 10 CFR Part 150, under the general heading "Continued Commission Authority in Agreement States," to read as follows:

§ 150.16 Submission to Commission of material status reports and material transfer reports.

(a) Each person in an Agreement State who receives, possesses or transfers special nuclear material pursuant to an Agreement State license shall submit to the Commission on Form AEC–578 reports concerning special nuclear material distributed and leased by the Commission pursuant to section 53 of the Act and received, transferred or possessed by him or for which he is financially responsible to the Commission. In addition, a separate report on Form AEC–578 shall be submitted concerning special nuclear material which is not owned by the U.S. Government and which has been received, produced, transferred or possessed during the reporting period. All reports shall be made as of December 31 and June 30 of each year and shall be filed with the Commission within 30 days after the end of the period covered by the report, except that any person who during the 6 months preceding June 30 had losses of less than 10 grams of special nuclear material and did not receive or transfer any special nuclear material, or financial responsibility to the Commission therefor, is required to file only an annual report as of December 31. The Commission may permit the submission of Material Status Reports at other times when good cause is shown.

(b) Each person in an Agreement State who, pursuant to an Agreement State license, transfers or receives special nuclear material shall submit to the Commission on Form AEC–388 reports concerning (1) each transfer of special nuclear material which has been distributed and leased by the Commission pursuant to section 53 of the Act, and (2) each transfer of special nuclear material not owned by the United States Government at the time of the completion of the transfer. Each report shall be transmitted to the Commission promptly after the transfer takes place.

(Sec. 274m, 73 Stat. 688; 42 U.S.C. 2021)
(Secs. 161, 274, 68 Stat. 948, 73 Stat. 688; 42 U.S.C. 2201, 2021)

Dated at Washington, D.C., this 22d day of March 1966.

For the Atomic Energy Commission.

W. B. McCOOL,
Secretary.

[F.R. Doc. 66–3250; Filed, Mar. 28, 1966; 8:45 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Parts 61, 91, 121]

[Docket No. 7201; Notice 66–6]

FLIGHT MANEUVERS REQUIRED FOR AIRLINE TRANSPORT PILOT CERTIFICATE AND CERTAIN CHECKS

Notice of Proposed Rule Making

Correction

In F.R. Doc. 66–2897 appearing at page 4735 in the issue for Saturday, March 19, 1966, the introductory portion of item 4 of Phase C on page 4737 is corrected to read as follows:

"4. *Crosswind takeoff and landing.* The pilot must satisfactorily demonstrate a crosswind takeoff and landing if practicable under the existing meteorological, airport and traffic conditions including:".

[14 CFR Part 71]

[Airspace Docket No. 65-WE-59]

VOR FEDERAL AIRWAYS

Proposed Realignment and Extension Withdrawn

On December 17, 1965, the Federal Aviation Agency published a notice of proposed rule making in the FEDERAL REGISTER (30 F.R. 15593) which proposed realignment of VOR Federal airway No. 6S between Reno, Nev., and Lovelock, Nev., and certain other adjustments to airway segments. This action was based on flight inspection data, which indicated a requirement for raising of the minimum en route altitude and the adjustments would have compensated for that necessity.

Evaluation of more recent flight inspection data indicates that the proposed action is not necessary and that the minimum en route altitude now in effect meets requirements.

In consideration of the foregoing, the notice of proposed rule making published in the FEDERAL REGISTER (30 F.R. 15593) on December 17, 1965, relating to Airspace Docket No. 65-WE-59 is hereby withdrawn.

Issued in Washington, D.C., on March 21, 1966.

H. B. HELSTROM,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66-3270; Filed, Mar. 28, 1966; 8:47 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66-AL-6]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations which would alter the Five Finger, Alaska, Transition Area.

The following transition area airspace is presently designated at Five Finger, Alaska:

That airspace extending upward from 1,200 feet above the surface within 8 miles W and 7 miles E of the 170° and 350° bearing from the Five Finger Rbn, extending from 13 miles N to 12 miles S of the Rbn.

New and revised holding and approach procedures have been authorized using the Five Finger, Alaska, radio beacon. Therefore, to provide protected airspace for aircraft using these procedures, it is proposed to change the Five Finger Transition Area to that airspace extending upward from 700 feet above the surface within a 4-mile radius of the Five Finger Rbn, and within 2 miles each side of the 349° T (320° M) and 189° T (160° M) bearings from the Five Finger Rbn, extending from the Rbn to 8 miles N and 8 miles S of the Rbn; and that airspace extending upward from 1,200 feet above the surface, within 8 miles E and 5 miles W of the 189° T (160° M) and 009° T (340° M) bearings, extending from 7 miles N to 13 miles S of the Rbn, and within 8 miles W and 5 miles E of the 349° T (320° M) and 169° T (140° M) bearings, extending from 13 miles N to 7 miles S of the Rbn.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Division, Alaskan Region, Federal Aviation Agency, 632 Sixth Avenue, Anchorage, Alaska, 99501. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Air Traffic Division. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The public docket will be available for examination by interested persons at the Office of the Regional Counsel, Federal Aviation Agency, 632 Sixth Avenue, Anchorage, Alaska, 99501.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Anchorage, Alaska, on March 17, 1966.

GEORGE M. GARY,
Director, Alaskan Region.

[F.R. Doc. 66-3271; Filed, Mar. 28, 1966; 8:47 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66-AL-7]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations which would alter the Homer, Alaska, Transition Area.

The following transition area airspace is presently designated at Homer, Alaska:

That airspace extending upward from 1,200 feet above the surface within 5 miles N and 9 miles S of the 265° bearing from the Homer RR, extending from the RR to 50 miles W.

The holding pattern at Anchor Point INT has been deleted and the 50-mile long transition area is not required. Holding patterns have been established on the Homer, Alaska, VOR and RR. Therefore, to provide protective airspace for aircraft executing portions of the prescribed instrument approach, missed approach, departure, and holding procedures conducted beyond the limits of the Homer, Alaska, control zone, it is proposed to change the Homer Transition Area to that airspace extending upward from 1,200 feet above the surface, within 8 miles S and 5 miles N of the 265° T (241° M) and 085° T (061° M) bearings from the Homer, Alaska, RR, extending from 13 miles W to 7 miles E of the RR; and within 8 miles NW and 5 miles SE of the Homer, Alaska, VOR 224° T (200° M) and 044° T (020° M) radials, extending from 13 miles SW to 7 miles NE of the VOR.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Division, Alaskan Region, Federal Aviation Agency, 632 Sixth Avenue, Anchorage, Alaska, 99501. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Air Traffic Division. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The public Docket will be available for examination by interested persons at the office of the Regional Counsel, Federal Aviation Agency, 632 Sixth Avenue, Anchorage, Alaska, 99501.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Anchorage, Alaska, on March 17, 1966.

GEORGE M. GARY,
Director, Alaskan Region.

[F.R. Doc. 66-3272; Filed, Mar. 28, 1966; 8:47 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66-EA-7]

FEDERAL AIRWAYS AND TRANSITION AREA

Proposed Designation and Alteration

The Federal Aviation Agency is considering amending § 71.181 of Part 71 of the Federal Aviation Regulations which would alter the Wrightstown, N.J., 700-foot floor transition area (31 F.R. 2274).

A new instrument approach procedure was recently authorized for Asbury Park-Neptune Airport, Neptune, N.J. This alteration is needed to provide airspace protection for this procedure above 700 feet above the surface.

Interested persons may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y., 11430. All communications received within 30 days after publication in the FEDERAL REGISTER will be considered before action is taken

on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Airspace Branch, Eastern Region.

Any data, or views presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y.

The Federal Aviation Agency, having completed a review of the airspace requirements for the terminal area of Neptune, N.J., proposes the airspace action hereinafter set forth:

Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to alter the Wrightstown, N.J., 700-foot floor transition area by inserting before the words, "excluding the portion within the New York, N.Y.," the words, "and within a 4-mile radius of the center, 40°13'05" N., 74°05'30" W., of the Asbury Park-Neptune Airport, Neptune, N.J."

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Jamaica, N.Y., on March 11, 1966.

WAYNE HENDERSHOT,
Deputy Director, Eastern Region.

[F.R. Doc. 66-3273; Filed, Mar. 28, 1966; 8:47 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66-EA-11]

FEDERAL AIRWAYS AND CONTROL ZONE

Proposed Designation and Alteration

The Federal Aviation Agency is considering amending § 71.171 of Part 71 of the Federal Aviation Regulations which would alter the Fort Belvoir, Va., control zone (31 F.R. 2090).

A new ASR/PAR instrument approach procedure for Runway 14 to Davison AAF has recently been authorized. There is a further proposal to extend the protection of the southeast extension of Runway 32 from 4.8 statute miles to 5 statute miles to comply with Agency criteria.

Interested persons may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y., 11430. All communications received within 30 days after publication in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Airspace Branch, Eastern Region.

Any data or views presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y.

The Federal Aviation Agency having completed a review of the airspace requirements for the terminal area of Fort Belvoir, Va., proposes the airspace action hereinafter set forth:

Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to delete the description of the Fort Belvoir, Va., control zone and insert in lieu thereof the following:

Within a 3-mile radius of the center, 38°42'55" N., 77°10'50" W., of the Davison AAF, Fort Belvoir, Va.; within 2 miles each side of the centerline of Runway 32 extended from the 3-mile radius zone to 5 miles northwest of the end of the runway; within 2 miles each side of the centerline of Runway 14 extended from the 3-mile radius zone to 5 miles southeast of the end of the runway.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Jamaica, N.Y., on March 15, 1966.

WAYNE HENDERSHOT,
Deputy Director, Eastern Region.

[F.R. Doc. 66-3274; Filed, Mar. 28, 1966; 8:47 a.m.]

[14 CFR Part 75]

[Airspace Docket No. 66-WE-14]

JET ROUTES

Proposed Alteration and Revocation

The Federal Aviation Agency is considering an amendment to Part 75 of the Federal Aviation Regulations which would revoke Jet Route No. 140 from Salt Lake City, Utah, to Denver, Colo.; and realign Jet Routes Nos. 30 and 56 from Provo, Utah, and Salt Lake City, Utah, respectively, to Denver, Colo.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Western Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 5651 West Manchester Avenue, Post Office Box 90007, Airport Station, Los Angeles, Calif., 90009. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. An informal docket also will be available for examination at the Office of the Regional Air Traffic Division Chief.

It is proposed to revoke Jet Route No. 140, realign Jet Route No. 30, in part, from Provo, via Meeker, Colo., to Denver; and realign Jet Route No. 56 from Salt Lake City, via Meeker, to Denver.

Designation of Jet Route No. 140 was originally intended as an expedient measure to provide temporary relief to the high minimum en route altitude (MEA) of 33,000 feet MSL on J-56 between Kremmling, Colo., and Salt Lake City until realignment of J-56 as proposed herein could be accomplished. Realignment of J-56 via Meeker would eliminate the requirement for J-140. Realignment of J-30 and J-56 via Meeker would eliminate the requirement for use of Myton, Utah, and Kremmling VOR's in the jet route structure, thereby reducing VOR frequency congestion.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on March 21, 1966.

H. B. HELSTROM,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66-3275; Filed, Mar. 28, 1966; 8:47 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 73]

[Docket No. 16068; FCC 66-270]

MULTIPLE OWNERSHIP OF TELEVISION BROADCAST STATIONS

Notice of Proposed Rule Making

At a session of the Commission held at its offices in Washington, D.C., the 24th day of March 1966;

1. The Commission having under consideration a "Motion To Extend Time for Filing of Comments" filed herein on March 4, 1966, by the Council for Television Development (a group of television station licenseees), requesting that the dates for filing comments and reply comments herein, now April 1 and May 2, 1966, respectively, be extended about 6 months, or to October 3 and December 1, 1966, respectively; and

2. It appearing, that the requested extension is sought to enable a research organization employed by the Council to complete its economic and other studies of the television industry, that the organization's report will be completed in August and filed with the Commission, and that the Council wants an additional month or so thereafter to file comments based on the report; and

3. It further appearing, that a previous extension of about 6 months was granted at the request of the petitioner, but that it was stated in that request that the 6 months then sought might not be sufficient to complete the research project; and

4. It further appearing, that good cause exists for the extension now requested and the public interest would be served thereby.

5. In view of the foregoing: *It is ordered*, That the time for filing comments and reply comments in this proceeding is extended, to and including October 3, 1966, and December 1, 1966, respectively.

Released: March 24, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[1]

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-3328; Filed, Mar. 28, 1966; 8:51 a.m.]

[1] Commissioner Cox concurring and issuing statement filed as part of original; Loevinger and Wadsworth absent.

Notices

DEPARTMENT OF THE TREASURY

Bureau of Customs

[Antidumping—AC 643.3–m]

WHOLE FROZEN EGGS FROM THE UNITED KINGDOM

Antidumping Proceeding Notice

MARCH 22, 1966.

On March 11, 1966, the Commissioner of Customs received information in proper form pursuant to the provisions of section 14.6(a) of the Customs Regulations indicating a possiblity that whole frozen eggs imported from the United Kingdom are being, or likely to be, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended.

Ordinarily, merchandise is considered to be sold at less than fair value when the net, f.o.b. factory price for exportation to the United States is less than the net, f.o.b. factory price to purchasers in the home market, or, where appropriate, to purchasers in other countries, after due allowance is made, for differences in quantity and circumstances of sale.

A summary of the information received is as follows:

There has been a rapid increase in the imports of whole frozen eggs from the United Kingdom and evidence exists that this trend will continue. Prices at which the merchandise is being sold to the United States appear to be substantially below the current prices for sale in the United Kingdom.

In order to establish the validity of the information, the Bureau of Customs is instituting an inquiry pursuant to the provisions of § 14.6(d) (1) (ii), (2), and (3) of the Customs Regulations.

The information was developed within the Customs Service.

This notice is published pursuant to § 14.6(d) (1) (i) of the Customs Regulations (19 CFR 14.6(d) (1) (i)).

[SEAL] LESTER D. JOHNSON,
Commissioner of Customs.

[F.R. Doc. 66–3307; Filed, Mar. 28, 1966; 8:50 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Montana 073067]

MONTANA

Notice of Proposed Withdrawal and Reservation of Lands

MARCH 18, 1966.

The Bureau of Reclamation has filed the above application for the withdrawal of the lands described below, from all forms of appropriation including the mining but not the mineral leasing laws.

The applicant desires the land for reclamation purposes in connection with the development of the Milk River Project.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 316 North 26th Street, Billings, Mont., 59101.

The Department's regulations (43 CFR 2311.1–3(c)) provide that the authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the applicant agency.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant, a public hearing will be held at a convenient time and place, which will be announced.

PRINCIPAL MERIDIAN, MONTANA

T. 30 N., R. 27 E.,
Sec. 6, Lot 10.
Total area 18.14 acres.

EUGENE H. NEWELL,
Acting Land Office Manager.

[F.R. Doc. 66–3291; Filed, Mar. 28, 1966; 8:49 a.m.]

Office of the Secretary

EDWARD T. AUGUSTINE

Report of Appointment and Statement of Financial Interests

JANUARY 28, 1966.

Pursuant to section 302(a) of Executive Order 10647, the following information on a WOC appointee in the Department of the Interior is furnished for publication in the FEDERAL REGISTER:

Name of appointee: Edward T. Augustine.

Name of employing agency: Department of the Interior, Office of Assistant Secretary for Water and Power Development.

The title of the appointee's position: Alternate Deputy Director, Defense Electric Power Area 1.

The name of the appointee's private employer or employers: Western Massachusetts Electric Co., 174 Brush Hill Avenue, West Springfield, Mass., 01089.

The statement of "financial interests" for the above appointee is enclosed.

STEWART L. UDALL,
Secretary of the Interior.

APPOINTEE'S STATEMENT OF FINANCIAL INTERESTS

In accordance with the requirements of section 302(b) of Executive Order 10647, I am filing the following statement for publication in the FEDERAL REGISTER:

(1) Names of any corporations of which I am, or had been within 60 days preceding my appointment, on January 28, 1966, as Alternate Deputy Director, Defense Electric Power Area 1, an officer or director:

Western Massachusetts Electric Co.

(2) Names of any corporations in which I own, or did own within 60 days preceding my appointment, any stocks, bonds, or other financial interests:

General Electric Co.
Hartford Electric Light Co.
Northeast Utilities
Radio Corp. of America
The Bullock Fund, Ltd.
The Colonial Fund, Inc.
The Television Electronic Fund, Inc.

(3) Names of any partnerships in which I am associated, or had been associated within 60 days preceding my appointment:

None.

(4) Names of any other businesses which I own, or owned within 60 days preceding my appointment:

None.

EDWARD T. AUGUSTINE.

MARCH 14, 1966.

[F.R. Doc. 66–3292; Filed, Mar. 28, 1966; 8:49 a.m.]

DEPARTMENT OF COMMERCE

Bureau of the Census

DETERMINATION OF DIRECTOR REGARDING VOTING RIGHTS

In accordance with section 4(b) (2) of the Voting Rights Act of 1965 (Public Law 89–110) and the determination of the Attorney General made pursuant to section 4(b) (1) of that Act, published in the August 7, 1965, issue of the FEDERAL REGISTER (30 F.R. 9897), I have determined that in the following political subdivisions considered as a separate unit less than 50 per centum of the persons of voting age residing therein voted in

the presidential election of November 1964:

Beaufort County, N.C.
Bladen County, N.C.
Cleveland County, N.C.
Gaston County, N.C.
Guilford County, N.C.
Harnett County, N.C.
Lee County, N.C.
Rockingham County, N.C.
Union County, N.C.
Wake County, N.C.

This determination supplements my determinations published in the FEDERAL REGISTER on August 7, 1965 (30 F.R. 9897), November 19, 1965 (30 F.R. 14505), January 4, 1966 (31 F.R. 19), January 25, 1966 (31 F.R. 982), and on March 2, 1966 (31 F.R. 3317).

Current studies of other political subdivisions will be completed as soon as the relevant data are obtained and in accordance with the Voting Rights Act of 1965. I will make additional determinations for such political subdivisions in which less than 50 per centum of the persons of voting age residing therein were registered on November 1, 1964, or in which less than 50 per centum of such persons voted in the presidential election of November 1964.

Dated: March 18, 1966.

A. ROSS ECKLER,
Director, Bureau of the Census.

[F.R. Doc. 66-3252; Filed, Mar. 28, 1966; 8:45 a.m.]

Office of the Secretary

[Dept. Order 85, Amdt. 1]

BUREAU OF THE CENSUS

Organization and Functions

The following amendment to the order was issued by the Secretary of Commerce on March 15, 1966. This material amends the material appearing at 28 F.R. 6592 of June 26, 1963.

Department Order 85 of June 7, 1963, is hereby amended as follows:

Section 3. *Delegation of authority*, is amended to read:

.01 Pursuant to the authority vested in the Secretary of Commerce by Title 13 U.S.C. 4, Reorganization Plan No. 5 of 1950 and subject to such policies and directives as the Secretary of Commerce and the Assistant Secretary for Economic Affairs may prescribe, the Director is hereby delegated the authority to perform the functions vested in the Secretary under Title 13, United States Code, that part of Chapter 5, Title 15, United States Code relating to the collection, compilation and publication of statistics, and any subsequent legislation with respect to the collection, tabulation, analysis, publication and dissemination of statistical data relating to the social and economic activities and characteristics of the population and enterprises of the United States and those areas and possessions described in section 191 of Title 13 U.S.C. In addition, the authority vested in the Secretary by section 8, Executive Order 10999, is hereby delegated to the Director to provide for the collection and reporting of census information on the status of human and economic resources including population, housing, agriculture, manufacture, mineral industries, business, transportation, foreign trade, construction, and governments, as required for emergency planning purposes.

.02 The Director, Bureau of the Census, may redelegate and authorize the successive redelegation of the authority granted herein to any employee of the Bureau of the Census subject to such conditions in the exercise of such authority, as he may prescribe.

Effective date. March 15, 1966.

DAVID R. BALDWIN,
Assistant Secretary for Administration.

[F.R. Doc. 66-3276; Filed, Mar. 28, 1966; 8:47 a.m.]

[Dept. Order 2-A, Amdt. 2]

ENVIRONMENTAL SCIENCE SERVICES ADMINISTRATION

Organization and Functions

The following amendment to the order was issued by the Secretary of Commerce on March 15, 1966. The material appearing at 30 F.R. 12895-12896 of October 9, 1965, and 30 F.R. 9070-9071 of July 20, 1965, is hereby further amended as follows:

1. Section 3. *Delegation of authority*, is amended by adding a new subparagraph .01h. to read:

h. Executive Order 10999 of February 16, 1962, sections 1(d) and 6(c), relating to fallout forecasting under the emergency preparedness and national civil defense programs;

2. The present subparagraphs 3.01h. and 3.01i. are renumbered as subparagraphs 3.01i. and 3.01j. respectively.

Effective date. March 15, 1966.

DAVID R. BALDWIN,
Assistant Secretary for Administration.

[F.R. Doc. 66-3277; Filed, Mar. 28, 1966; 8:47 a.m.]

[Dept. Order Revocation Notice]

NATIONAL CIVIL DEFENSE PROGRAM ASSISTANCE

Revocation Order

The following revocation notice to the order was issued by the Secretary of Commerce on March 15, 1966. This material revokes the material appearing at 20 F.R. 7920-7921 of October 20, 1955.

Department Order 160, "National Civil Defense Program Assistance," dated September 30, 1955, is hereby revoked. The purpose of the order is adequately covered in other orders of the Department.

Effective date. March 15, 1966.

DAVID R. BALDWIN,
Assistant Secretary for Administration.

[F.R. Doc. 66-3278; Filed, Mar. 28, 1966; 8:47 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

CHEMAGRO CORP.

Notice of Filing of Petition Regarding Pesticide Chemical

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), notice is given that a petition (PP 6F0478) has been filed by Chemagro Corp., Post Office Box 4913, Kansas City, Mo., 64120, proposing the establishment of a tolerance for residues of the insecticide *0,0*-diethyl *S*-2-(ethylthio)ethyl phosphorodithioate in or on the raw agricultural commodity pecans at 0.75 part per million.

The analytical method proposed in the petition for determining residues of this insecticide is a phosphorus method with a chromatographic step designed to remove the naturally occurring phosphorus compounds.

Dated: March 18, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-3281; Filed, Mar. 28, 1966; 8:48 a.m.]

CIBA PHARMACEUTICAL CO.

Notice of Withdrawal of Petition for Food Additives Procaine Penicillin, Reserpine

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b), 72 Stat. 1786; 21 U.S.C. 348(b)), the following notice is issued:

In accordance with § 121.52 *Withdrawal of petitions without prejudice* of the procedural food additive regulations (21 CFR 121.52), CIBA Pharmaceutical Co., CIBA Research Farm, Three Bridges, N.J., 08887, has withdrawn its petition (FAP 5C1533), published in the FEDERAL REGISTER of November 6, 1965 (30 F.R. 14049), proposing the amendment of § 121.205 *Reserpine* to provide for the safe use of 50 grams of procaine penicillin and 1 part per million of reserpine per ton of feed for broiler chickens to aid in improving performance of growing chickens under stressful environmental conditions and for the prevention of chronic respiratory disease (airsac infection) and blue comb (nonspecific infectious enteritis).

The withdrawal of this petition is without prejudice to a future filing.

Dated: March 18, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-3282; Filed, Mar. 28, 1966; 8:48 a.m.]

MONSANTO CO.

Notice of Filing of Petition Regarding Pesticides

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), notice is given that a petition (PP 6F0479) has been filed by Monsanto Co., 800 North Lindbergh Boulevard, St. Louis, Mo., 63166, proposing the establishment of tolerances for residues of *N*-isopropylaniline from the use of the herbicide 2-chloro-*N*-isopropylacetanilide in or on the raw agricultural commodities named:

3 parts per million in or on sorghum forage and silage.
1.5 parts per million in or on corn forage and silage, soybeans.
0.2 part per million in or on grain sorghum.

The analytical method proposed in the petition for determining residues of 2-chloro-*N*-isopropylacetanilide and *N*-isopropylaniline is gas-liquid chromatography.

Dated: March 21, 1966.

J. K. KIRK,
Assistant Commission for Operations.

[F.R. Doc. 66-3283; Filed, Mar. 28, 1966; 8:48 a.m.]

ROHM & HAAS CO.

Notice of Filing of Petitions for Pesticide Chemical and Food Additive Nickel Sulfate

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 408(d)(1), 409(b)(5), 68 Stat. 512, 72 Stat. 1786; 21 U.S.C. 346a(d)(1), 348(b)(5)), notice is given that a petition (PP 3F0386) has been filed by Rohm & Haas Co., Independence Mall West, Philadelphia, Pa., 19105, proposing the establishment of a pesticide tolerance of 45 parts per million for residues of the fungicide nickel sulfate (calculated as Ni) in or on the whole grain and straw of barley, oats, rye, and wheat.

Notice is also given that Rohm & Haas Co. has filed a petition (FAP 6H1990) proposing the establishment of food additive tolerances for residues of nickel sulfate of 175 parts per million in the bran of barley, oats, rye, and wheat, and 8 parts per million in flour. For the brans these residues result from concentration and carryover from treated grain; and for flour, from carryover alone.

The analytical methods proposed in the petitions for determining residues of nickel sulfate are:

1. The polarographic determination of nickel following dry ashing of the sample; and

2. A procedure involving wet ashing of the sample, isolation of the nickel by chloroform extraction of the dimethylglyoxime salt, conversion to the diethyldithiocarbamate complex, and determination colorimetrically at 385 millimicrons.

Dated: March 21, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-3284; Filed, Mar. 28, 1966; 8:48 a.m.]

ROHM & HAAS CO.

Notice of Filing of Petition Regarding Pesticide Coordination Product of Zinc Ion and Maneb

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512, 21 U.S.C. 346a(d)(1)), notice is given that a petition (PP 6F0476) has been filed by Rohm & Haas Co., Independence Mall West, Philadelphia, Pa., 19105, proposing the establishment of tolerances for residues of a fungicide that is a coordination product of zinc ion and maneb (manganous ethylenebisdithiocarbamate) containing 20 percent manganese, 2.5 percent zinc, and 77.5 percent ethylenebisdithiocarbamate (the whole product of which is calculated as zinc ethylenebisdithiocarbamate) in or on the raw agricultural commodities named:

65 parts per million in or on peanut vines.
25 parts per million in or on beet tops (garden beets and sugarbeets), collards, dandelions, kale, mustard greens, parsley, spinach, Swiss chard, turnip tops, watercress.
15 parts per million in or on corn fodder and forage.
14 parts per million in or on grapes.
12 parts per million in or on apples, crabapples, pears, quinces.
10 parts per million in or on celery, fennel.
7 parts per million in or on cranberries, cucumbers, summer squash.
5 parts per million in or on barley, oats, rye, wheat.
2 parts per million in or on carrots, garden beets, horseradish, parsnips, radishes, rutabagas, salsify roots, sugar beets, turnips.
1 part per million in or on beef liver.
0.5 part per million in or on beef kidney, corn (kernels plus cob with husks removed), peanuts.

The analytical methods proposed in the petition for determing residues of this fungicide are based on the procedure of Pease in the Journal of the Association of Official Agricultural Chemists, vol. 40, 1957, p. 1113.

Dated: March 21, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-3285; Filed, Mar. 28, 1966; 8:48 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. PRM-30-22]

BROOKES & GATEHOUSE, INC.

Notice of Filing of Petition for Rule Making

Please take notice that Brookes & Gatehouse, Inc., 7 Woodland Avenue, Larchmont, N.Y., by letter dated March 3, 1966, has filed with the Commission a petition for rule making to amend the Commission's regulation "Rules of General Applicability to Licensing of Byproduct Material," 10 CFR Part 30.

The amendment proposed by the petitioner would amend Part 30 so as to exempt from the licensing requirements of section 81 of the Atomic Energy Act of 1954, as amended, and of Part 30, electrical meters used for marine purposes containing tritium-activated light sources.

The meters described in the petition would be installed in marine craft as part of electronic systems for such purposes as the measurement of boat speed, depth of water, and wind direction. Illumination of the meters is provided by cementing small glass capsules to the pointers and graduations thereof, each capsule containing not more than 15 millicuries of tritium gas. The petition states that the maximum number of such capsules per meter would be 15.

A copy of the petition for rule making is available for public inspection in the Commission's Public Document Room at 1717 H Street NW., Washington, D.C.

Dated at Washington, D.C., this 22d day of March 1966.

For the Atomic Energy Commission.

W. B. MCCOOL,
Secretary.

[F.R. Doc. 66-3251; Filed, Mar. 28, 1966; 8:45 a.m.]

STATE OF NEW HAMPSHIRE

Proposed Agreement for Assumption of Certain AEC Regulatory Authority

On January 26, 1966; February 2, 1966; February 9, 1966; and February 16, 1966, the U.S. Atomic Energy Commission published for public comment, prior to action thereon, a proposed agreement received from the Governor of the State of New Hampshire for the assumption of certain of the Commission's regulatory authority pursuant to section 274 of the Atomic Energy Act of 1954, as amended. The effective date proposed by the State of New Hampshire for the agreement is May 16, 1966. Republication of the proposed New Hampshire agreement is necessary to reflect the recently established proposed effective date.

A résumé, prepared by the State of New Hampshire and summarizing the State's proposed program, was also submitted to the Commission and is set forth below as an appendix to this notice. Attachments referenced in the appendix are included in the complete text of the program. A copy of the program, including proposed New Hampshire regulations, is available for public inspection in the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., or may be obtained by writing to the Director, Division of State and Licensee Relations, U.S. Atomic Energy Commission, Washington, D.C., 20545. All interested persons desiring to submit comments and sug-

gestions for the consideration of the Commission in connection with the proposed agreement should send them, in triplicate, to the Secretary, U.S. Atomic Energy Commission, Washington, D.C., 20545, within 30 days after initial publication in the FEDERAL REGISTER.

Exemptions from the Commission's regulatory authority which would implement this proposed agreement, as well as other agreements which may be entered into under section 274 of the Atomic Energy Act, as amended, were published as Part 150 of the Commission's regulations in FEDERAL REGISTER issuances of February 14, 1962; 27 F.R. 1351; April 3, 1965; 30 F.R. 4352 and September 22, 1965; 30 F.R. 12069. In reviewing this proposed agreement, interested persons should also consider the aforementioned exemptions.

Dated at Washington, D.C., this 3d day of March 1966.

For the Atomic Energy Commission.

W. B. McCOOL,
Secretary.

PROPOSED AGREEMENT BETWEEN THE U.S. ATOMIC ENERGY COMMISSION AND THE STATE OF NEW HAMPSHIRE FOR DISCONTINUANCE OF CERTAIN COMMISSION REGULATORY AUTHORITY AND RESPONSIBILITY WITHIN THE STATE PURSUANT TO SECTION 274 OF THE ATOMIC ENERGY ACT OF 1954, AS AMENDED

Whereas, the U.S. Atomic Energy Commission (hereinafter referred to as the Commission) is authorized under section 274 of the Atomic Energy Act of 1954, as amended (hereinafter referred to as the Act), to enter into agreements with the Governor of any State providing for discontinuance of the regulatory authority of the Commission within the State under Chapters 6, 7, and 8 and section 161 of the Act with respect to byproduct materials, source materials, and special nuclear materials in quantities not sufficient to form a critical mass; and

Whereas, the Governor and Council of the State of New Hampshire is authorized under Chapter 229, New Hampshire Laws of 1963, to enter into this Agreement with the Commission; and

Whereas, the Governor of the State of New Hampshire certified on _____, that the State of New Hampshire (hereinafter referred to as the State) has a program for the control of radiation hazards adequate to protect the public health and safety with respect to the materials within the State covered by this Agreement, and that the State desires to assume regulatory responsibility for such materials; and

Whereas, the Commission found on _____, that the program of the State for the regulation of the materials covered by this Agreement is compatible with the Commission's program for the regulation of such materials and is adequate to protect the public health and safety; and

Whereas, the State and the Commission recognize the desirability and importance of cooperation between the Commission and the State in the formulation of standards for protection against hazards of radiation and in assuring that State and Commission programs for protection against hazards of radiation will be coordinated and compatible; and

Whereas, the Commission and the State recognize the desirability of reciprocal recognition of licenses and exemption from licensing of those materials subject to this Agreement, and

Whereas, this Agreement is entered into pursuant to the provisions of the Atomic Energy Act of 1954, as amended;

Now, therefore, it is hereby agreed between the Commission and the Governor of the State, acting in behalf of the State, as follows:

ARTICLE I. Subject to the exceptions provided in Articles II, III, and IV, the Commission shall discontinue, as of the effective date of this Agreement, the regulatory authority of the Commission in the State under Chapters 6, 7, and 8, and section 161 of the Act with respect to the following materials:

A. Byproduct materials;

B. Source materials; and

C. Special nuclear materials in quantities not sufficient to form a critical mass.

ART. II. This Agreement does not provide for discontinuance of any authority and the Commission shall retain authority and responsibility with respect to regulation of:

A. The construction and operation of any production or utilization facility;

B. The export from or import into the United States of byproduct, source, or special nuclear material, or of any production or utilization facility;

C. The disposal into the ocean or sea of byproduct, source, or special nuclear waste materials as defined in regulations or orders of the Commission;

D. The disposal of such other byproduct, source, or special nuclear material as the Commission from time to time determines by regulation or order should, because of the hazards or potential hazards thereof, not be so disposed of without a license from the Commission.

ART. III. Notwithstanding this Agreement, the Commission may from time to time by rule, regulation, or order, require that the manufacturer, processor or producer of any equipment, device, commodity or other product containing source, byproduct, or special nuclear material shall not transfer possession or control of such product except pursuant to a license or an exemption from licensing issued by the Commission.

ART. IV. This Agreement shall not affect the authority of the Commission under subsection 161 b. or i. of the Act to issue rules, regulations, or orders to protect the common defense and security, to protect restricted data or to guard against the loss or diversion of special nuclear material.

ART. V. The Commission will use its best efforts to cooperate with the State and other agreement States in the formulation of standards and regulatory programs of the State and the Commission for protection against hazards of radiation and to assure that State and Commission programs for protection against hazards of radiation will be coordinated and compatible. The State will use its best efforts to cooperate with the Commission and other agreement States in the formulation of standards and regulatory programs of the State and the Commission for protection against hazards of radiation and to assure that the State's program will continue to be compatible with the program of the Commission for the regulation of like materials. The State and the Commission will use their best efforts to keep each other informed of proposed changes in their respective rules and regulations and licensing, inspection and enforcement policies and criteria, and to obtain the comments and assistance of the other party thereon.

ART. VI. The Commission and the State agree that it is desirable to provide for reciprocal recognition of licenses for the materials listed in Article I licensed by the other party or by any agreement State. Accordingly, the Commission and the State agree to use their best efforts to develop appropriate rules, regulations, and procedures by which such reciprocity will be accorded.

ART. VII. The Commission, upon its own initiative after reasonable notice and opportunity for hearing to the State, or upon request of the Governor of the State, may terminate or suspend this agreement and reassert the licensing and regulatory authority vested in it under the Act if the Commission finds that such termination or suspension is required to protect the public health and safety.

ART. VIII. This Agreement shall become effective on May 16, 1966, and shall remain in effect unless, and until such time as it is terminated pursuant to Article VII.

Done at Concord, State of New Hampshire, in triplicate, this day of _____.

For the United States Atomic Energy Commission.

GLENN T. SEABORG,
Chairman.

For the State of New Hampshire.

JOHN W. KING,
Governor.
WILLIAM A. STYLES,
AUSTIN F. QUINNEY,
EMILE SIMARD,
ROBERT L. MALLAT, JR.,
JAMES H. HAYES,
Executive Council.

NEW HAMPSHIRE RADIATION PROTECTION AND RADIATION CONTROL PROGRAM

POLICIES AND PROCEDURES FOR THE CONTROL OF IONIZING RADIATION

FOREWORD

The following narrative sets forth a brief description of the history, practices, capabilities, and proposed activities of the New Hampshire State Radiation Control Agency (hereafter referred to as "the Agency") of the New Hampshire State Department of Health and Welfare, Division of Public Health Services, as they relate to the assumption of certain regulatory functions of the U.S. Atomic Energy Commission and to the control of all sources of ionizing radiation, including naturally occurring isotopes and radiation producing machines.

The U.S. Atomic Energy Commission is authorized by section 274 of the Atomic Energy Act of 1954, as amended, to enter into an agreement with the Governor of a State to transfer to the State certain functions of licensing and regulatory control of byproduct, source, and special nuclear material in quantities not sufficient to form a critical mass. The transfer of responsibility with respect to these sources of ionizing radiation is made upon the determination by the Atomic Energy Commission that the State has the competency to administer licensing and regulatory authority of such sources.

The New Hampshire regulatory program for the control of sources of ionizing radiation will be conducted in such a manner as to effectively protect the public health and safety, and to further the economic growth of the State through the encouragement of the constructive and safe and proper uses of radiation. The program will be maintained so as to ensure compatibility with the regulatory program of the U.S. Atomic Energy Commission and with the programs of other agreement States insofar as possible.

Authority. The New Hampshire General Court, in 1963, enacted enabling legislation (RSA125, Chapter 229) designating the New Hampshire Department of Health and Welfare, Division of Public Health Services, as the New Hampshire State Radiation Control Agency, with the authority to promulgate, amend, and repeal codes and rules and regulations, subject to public hearing; to require the registration of sources of radiation as may be necessary to prohibit and prevent

unnecessary radiation exposure; to enter at all reasonable times upon any private or public property for the purpose of determining whether there is compliance with or violations of the provisions of RSA 125 and the rules and regulations issued thereunder; and to conduct inspections and surveys of radiation sources and their shielding and immediate surroundings.

RSA 125 further authorizes the Governor and Council, on behalf of the State, to enter into an agreement with the U.S. Atomic Energy Commission providing for the discontinuance of certain licensing responsibilities of the Federal Government with respect to sources of ionizing radiation and the assumption thereof by the State.

History. The New Hampshire State Department of Health and Welfare became involved with radiological health in 1938 when the Division of Industrial Hygiene was established. The Department's activities in this field were limited initially to the industrial uses of X-ray and radium for the most part, with some work being done in hospitals and in physicians' and dentists' offices on request.

Emphasis on radiation safety became greater with the advent of the atomic energy program and the availability of radioisotopes in the late 1940's; and in 1950 one of the Division engineers attended a 6-week course in radiation safety at the Brookhaven National Laboratory. The Division staff also took advantage of the training programs in radiological health and safety sponsored by the U.S. Department of Health, Education, and Welfare at Cincinnati, Ohio.

Division personnel were employed on a part-time basis in the Radiological Defense Program of the New Hampshire Civil Defense Agency in the early 1950's and were authorized to acquire and use Cobalt 60 sources in the training of radiological monitors within State departments in 1953. Two of these personnel attended an instructor's school sponsored by the Federal Civil Defense Administration and one engineer was temporarily attached to the Civil Effects Test Group of the AEC's Operation Plumbob at Mercury, Nev., in 1957. These personnel have since participated on a part-time basis in a formal training program for community radiological monitoring teams and have been licensed by the AEC for the use of a 5-curie Cobalt 60 source and a 120-curie Cesium 137 source, for instrument calibration purposes.

When the AEC's licensing program was established in 1957, Division personnel began accompanying the Commission's inspectors on joint inspections of licensed users of radioisotopes in both the industrial and medical fields. At about this time inspections and surveys of the medical uses of X-ray were intensified and in 1959 a survey of all dental office personnel in the State was conducted at the request of the New Hampshire Dental Society.

Training in health physics has been furthered by the attendance of two of the Division personnel, a chemist and an engineer, at a 10-week course at the Oak Ridge Institute of Nuclear Studies in 1964 and training in the AEC's licensing procedures was accomplished through a 2-week course at the AEC offices in Bethesda, Md.

The recommendations of the National Bureau of Standards with regard to radiation shielding and limits of radiation exposure for humans have been adhered to until the present time and primary emphasis has been placed on radiation sources not regulated or otherwise under the jurisdiction of the Atomic Energy Commission.

Personnel. The backgrounds of training and experience in radiation of persons employed in the future to fill vacancies on the New Hampshire Radiation Control Agency staff will be equivalent to those of the present prospective staff. Following are the résumés of the backgrounds of the proposed Agency staff:

FORREST H. BUMFORD

EDUCATION

University of New Hampshire—1937, B.S., Mech. Eng.
Special courses in Industrial Hygiene, Radiological Defense, and Radiological Health, USPHS—DOD—AEC.

MILITARY

U.S. Army Reserve 1936–1944 (1st Lieut.).
U.S. Public Health Service (R), Active Duty 1941–1946 (Lieut., S.G.).
U.S. Public Health Service (R), 1946–Date (Comm.).

EXPERIENCE

1937–1940—The Trane Co., La Crosse, Wis., Heating, Ventilating and A.C. Engineer.
1940–1941—State of New Hampshire, Dept. of Health, Division of Industrial Hygiene, Industrial Hygiene Engineer.
1941–1946—U.S. Public Health Service, Industrial Hygiene Engineer, Stationed N.H., District of Columbia, Tenn.
1946–1947—State of Ohio, Youngstown, Ohio, District Industrial Hygiene Engineer.
1947–1952—State of New Hampshire, Concord, N.H., Industrial Hygiene Engineer, Acting Director of Division 1951.
1952–Date—State of New Hampshire, Director, Division of Industrial Hygiene or Bureau of Occupational Health.

RADIATION EXPERIENCE

1941–Date—Experience in industrial, diagnostic, therapeutic, and fluoroscopic X-ray machines—safety and health. Health and safety in use of radium in hospitals, clinics, and industry.
1951–Date—State RADEF Officer in Civil Defense program. Charge of radiological defense for State; training of monitors and care and maintenance of instruments.
1957–Date—Hold AEC licenses for use of sealed sources for use in training and calibration of instruments, including multicurie (5) Cobalt 60 sources, Cesium 137 source (120 curie), including leak testing.
1961–Date—Appointed Director, State Radiation Control Agency, Division of Public Health, Department of Health and Welfare.

RICHARD S. DUMM

EDUCATION

University of New Hampshire—1951, B.S., Agr. Engineering.
Special courses:
- Industrial Ventilation, Michigan State Univ., 1954 (1 week).
- Radiological Defense Instructor, OCDM, 1957 (1 week).
- Civil Effects Test Group, AEC Nevada Test Site, 1957 (2 weeks).
- Civil Defense for Food and Drug Officials, USFDA, 1963 (1 week).
- Radiological Health Physics, Oak Ridge Institute of Nuclear Studies, 1964 (10 weeks).

MILITARY

Enlisted USNR Nov. 1943–June 1946 (27 mos. active).
Enlisted USNR Apr. 1950–Jan. 1952 (12 mos. active).
Commissioned USNR Jan. 1952–date (13 mos. active).

EXPERIENCE

U.S. Naval Reserve (active) Feb. 1951–Mar. 1953.
State of New Hampshire, Dept. of Health, Division of Industrial Hygiene, Apr. 1953–date.

RADIATION

Health and safety of medical and industrial uses of X-ray and radium; 1953–date.
Teaching radiological defense to local town and city organizations; 1957–date.
Special courses (see Education).

JOHN R. STANTON

EDUCATION

St. Anselm's College, Manchester, N.H.—1955, A.B. Chemistry. Member St. Anselm's Chemical Society, 1952–55.

MILITARY

Two years active duty with U.S. Army, 1955–57; duty, weather observer. Seven years with New Hampshire National Guard, 1957 to date.

SPECIAL TRAINING

Weather Observer School, Fort Monmouth, N.J., 1956 (13 weeks).
Industrial Hygiene Chemistry Course—DOH USPHS Cincinnati, Ohio, 1963 (2 weeks).
Dust Evaluation Techniques Course—DOH USPHS Cincinnati, Ohio, 1963 (1 week).
Civil Defense for Food and Drug Officials course—USFDA, Concord, N.H., 1963 (1 week).
Radiological Health course—AEC—ORINS—Oak Ridge, Tenn., 1964 (10 weeks).

EXPERIENCE

Chemist (Highway Materials Testing)—New Hampshire Department of Public Works and Highways, 1957–1962. Immediate Supervisor, Paul S. Otis. Principal duties: chemical analysis of paints, tar, asphalt and other highway construction materials.
Industrial Hygiene Chemist—Occupational Health Service, New Hampshire Department of Health and Welfare, 1962 to present. Immediate Supervisor, Forrest H. Bumford. Principal duties: (1) Chemical analysis of trace metals, solvents and metabolic products of toxins using infrared spectroscopy, ultraviolet spectrophotometry and gas chromatography; (2) monitoring of daily air samples for beta activity.

GOVERNOR'S RADIATION ADVISORY COMMITTEE

Robert Normandi, Ph. D., Chairman, Professor of Biology and Radiation Biology, St. Anslem's College, Manchester, N.H. Holds AEC license.
Frank Lane, M.D., Chief Roentgenologist, Mary Hitchcock Memorial Hospital, Hanover, N.H., Radiation Safety Officer, Mary Hitchcock Memorial Hospital, Hanover, N.H. Charge of 1,000 curie cobalt 60 teletherapy units. Holds AEC licenses.
Laurence Bixby, M.D., Roentgenologist, Dover City Hospital, Dover, N.H., Roentgenologist, Frisbie Memorial Hospital, Rochester, N.H.
John Lockwood, Sc. D., Chairman, Department of Physics, University of New Hampshire, Durham, N.H. Considerable experience with various isotopes and member of University Radiation Committee. Holds AEC license.
J. Copenhaver, Ph. D., Chairman, Dept. of Biological Sciences, Dartmouth College, Hanover, N.H. Holds AEC license.
Gene Likens, Ph. D., Dept. of Biological Sciences, Dartmouth College, Hanover, N.H. Holds AEC license.
Richard D. Brew, President, Brew Co., Concord, N.H. Representing industrial interests on committee.
Paul Simpson, Sanders Associates, Nashua, N.H. Representing industrial interests on committee.
Leonard Hill, Comptroller, State of New Hampshire, State House, Concord, N.H. Representing Governor on State Committee.

The committee membership will be changed somewhat after January 1966, to give a more balanced membership amongst the various professions concerned with radiological health. This committee will keep the Governor and Council informed on matters relative to radiation problems within the State.

They will also recommend programs and policies to the Radiation Control Agency and act as advisors to the Director of the Agency. They or certain members of the committee will also serve the Agency as an isotope committee similar to that in use by the AEC.

Licensing and registration. The State program provides for the issuance of both specific and general licenses for radioactive materials. The specific license will be issued to authorize the possession of such quantities of special nuclear material, source material, byproduct material, and other naturally occurring radioactive materials, such as radium, as are not generally licensed or exempted from licensing under the regulations General licenses are established in the regulations for the possession of such quantities of certain radioactive materials as are considered to be unlikly to present a hazard to the health and safety of the public under the filing of applications with the Agency or the issuance of licensing documents to the particular persons using the radioactive material.

Persons possessing less than certain quantities of radioactive materials, as stated in the regulations, or who possess items containing certain specified radioactive materials are exempted from the licensing requirements of the regulations.

The program also requires that persons having possession of any source of ionizing radiation other than exempt radioactive material and radioactive material licensed under the regulations, including machines or devices capable of producing ionizing radiation, shall register such machines or devices with the Agency on a form provided by the Agency.

The Agency is responsible for evaluating applications for and the issuing of licenses. Provision has been made, however, for a radiation advisory committee to assist the Agency in evaluations which require technical consultation. The board will consist of persons highly qualified in the fields of the medical uses of radiation, physics, and industry whenever possible. In addition, the Agency will utilize the applicable licensing criteria of the U.S. Atomic Energy Commission in making its evaluations.

Inspection. Inspections of activities using radiation sources will be made on a periodic basis. The most hazardous uses of radiation will be inspected at least once in each 6-month period, and other uses on a less frequent basis, depending upon the relative hazard. All licensed or registered activities will be inspected at least once in each 2-year period.

Announcement of an intended inspection may or may not be made prior to its execution.

Inspection visits will usually include a comprehensive review by the inspector of the licensee's equipment, facilities, and handling or storage of radioactive material, the procedures, in effect, including actual operation, and interviewing of personnel actually involved. The inspector will review the user's survey methods and results, personnel monitoring practices and results, the posting and labeling used, the instructions to personnel, and the methods and apparent effectiveness of maintaining control of people in the controlled area. He will review the user's records of receipts, transfers, and inventory of licensed materials, if any. He may physically check the inventory. He will examine records concerning any disposal of radioactive material which might have been made. He may make measurements of radiation levels. Prior to the termination of each inspection, the inspector will meet with the management to discuss the results of his inspection. At this time he will present tentative oral recommendations or suggestions, and will attempt to answer questions concerning the regulatory program.

The inspector will prepare a detailed report to inform his superior and the licensee or registrant of all the facts and circumstances observed during the inspection, including recommendations for the abatement of noncompliance matters. The report will provide the basis for any necessary enforcement action by the Agency.

In addition, there will be investigations of incidents and complaints involving licensed or registered sources of radiation to determine the cause, and measures taken by the licensee or registrant to cope with the incident, whether or not there was noncompliance with the regulations, and the steps the licensee or registrant is taking to ensure that a recurrence of the incident will not take place.

Enforcement. Minor items of noncompliance, such as improper signs, failure to label, etc., will be included in the inspector's report and, if the licensee or registrant agrees to correct these irregularities at the time of the inspection, the corrective action taken will be reviewed with the licensee or registrant during the next periodic inspection. If the inspection reveals a noncompliance of a more serious nature, the licensee or registrant will be required to accomplish corrective action prior to a time fixed by the director of the Agency, which time shall be not more than ten days subsequent to formal written notification of the item of noncompliance by the Agency. The licensee or registrant will be required to inform the Agency in writing, usually within 15 days of formal notification, as to corrective action taken and the date it was accomplished. In these cases, the Agency's representative will either conduct a prompt follow-up inspection or the matter will be reviewed during the next regular inspection to insure that corrective action has, in fact, been accomplished. If the reply does not satisfactorily explain the noncompliance and assure that further violations will be prevented, the Agency will take such administrative actions as are available to it.

Where administrative enforcement of the rules and regulations of the Agency does not prove successful, a civil action may be instituted on behalf of the Agency for injunctive relief to prevent the violation of the provisions of the rules and regulations.

The director of the Agency has legal authority, in an emergency situation, to issue an order reciting that such an emergency does, in fact, exist and requiring that such action as he deems necessary be taken to meet the emergency. Any person to whom such an order is directed is required by law to comply with the order immediately.

Any person who receives a notice of violation of the regulations of the Agency and an order of abatement of the violation, or who is required to comply immediately with the orders of the director of the Agency, in an emergency situation, may apply for a hearing before the director of the Division of Public Health Services, New Hampshire State Department of Health and Welfare, and a hearing will be afforded within 15 days.

Any person who wilfully violates any of the provisions of the rules and regulations of the Agency, or who violates an order of the Agency, may be guilty of a crime and upon conviction may be punished by a fine or imprisonment or both, as provided by law.

Reciprocity. The Agency will exempt persons from the licensing requirement of the regulations who use, transfer, possess, or receive byproduct, source, or special nuclear material in quantities not sufficient to form a critical mass pursuant to a license issued by the U.S. Atomic Energy Commission or by another agreement state provided that such persons notify the Agency immediately of the presence of such materials within the state.

Compatibility. It is the policy of the State of New Hampshire to institute and maintain a regulatory program for sources for ionizing radiation so as to provide for a system consonant insofar as possible with the standards and regulatory programs of the Federal government and with those of other agreement States.

[F.R. Doc. 66-2396; Filed, Mar. 7, 1966; 8:50 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 17093]

AMERICAN AIRLINES

Exceptions to Minimum Charges Rule; Notice of Prehearing Conference

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on April 6, 1966, at 10 a.m., e.s.t., in Room 726, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Milton H. Shapiro.

Dated at Washington, D.C., March 23, 1966.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 66-3326; Filed, Mar. 28, 1966; 8:51 a.m.]

[Docket Nos. 15353, 16236; Order E-23405]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Fare and Rate Matters

Adopted by the Civil Aeronautics Board at its Office in Washington, D.C., on the 22d day of March 1966.

Agreements adopted by Traffic Conference 2 and Joint Conferences 1-2, 2-3, and 1-2-3 of the International Air Transport Association relating to fare and rate matters; Docket 15353, Agreement CAB 18748, Agreement CAB 18763, Docket 16236, Agreement CAB 18764.

Agreements have been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's economic regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Traffic Conference 2 and Joint Conferences 1-2, 2-3, and 1-2-3 of the International Air Transport Association (IATA), and adopted by mail votes. The Agreements have been assigned the above designated CAB Agreement numbers.

The agreement, as it applies to cargo rates and passenger fares, common-rates Karup and Skrydstrup, where services are being inaugurated, with Copenhagen. The agreement is consistent with the present practice of common-rating fares and rates to and from Aalborg, Aarhus,

Billund, and Sonderborg with that of Copenhagen.

The Board, acting pursuant to sections, 102, 204(a), and 412 of the Act, makes the following findings:

1. The Board finds that, on the basis of all facts presently known, the following Resolutions incorporated in Agreements CAB 18748 and 18764 do not affect air transportation within the meaning of the Act:

AGREEMENT CAB 18748

200(Mail 621)084b.
200(Mail 621)084g.

AGREEMENT CAB 18764

200(Mail 624)590.

2. The Board does not find the following resolutions, which are incorporated in Agreements CAB 18748, 18763, and 18764 and which do not directly affect air transportation as defined by the Act, to be adverse to the public interest or in violation of the Act:

AGREEMENT CAB 18748

200(Mail 621)052.
200(Mail 621)062.
JT12(Mail 435)054c.
JT12(Mail 435)064c.

AGREEMENT CAB 18763

JT23(Mail 158)058.
JT23(Mail 158)068.
JT123(Mail 442)058.
JT123(Mail 442)068.

AGREEMENT CAB 18764

200(Mail 624)552.
JT12(Mail 438)554c.

3. The Board does not find the following resolutions, which are incorporated in Agreements CAB 18748 and 18764, to be adverse to the public interest or in violation of the Act:

AGREEMENT CAB 18748

JT12(Mail 435)054a.
JT12(Mail 435)064a.
JT12(Mail 435)080d.
JT12(Mail 435)084y.
JT12(Mail 435)088n.
JT12(Mail 435)054b.
JT12(Mail 435)064b.
JT12(Mail 435)080f.
JT123(Mail 435)054b.
JT123(Mail 435)064b.
JT123(Mail 435)057a.
JT123(Mail 435)067a.
JT123(Mail 435)080e.
JT123(Mail 435)084y.
JT23(Mail 156)055.
JT23(Mail 156)065.
JT123(Mail 435)057.
JT123(Mail 435)067.

AGREEMENT CAB 18764

JT12(Mail 438)554a.
JT12(Mail 438)554b.
JT23(Mail 157)555.
JT12(Mail 438)590.
JT23(Mail 157)590.
JT123(Mail 438)590.

Accordingly, it is ordered, That:

1. Jurisdiction is disclaimed with respect to those portions of Agreements CAB 18748 and CAB 18764, as set forth in finding paragraph 1;

2. Those portions of Agreements CAB 18748, 18763, and 18764 as set forth in finding paragraphs 2 and 3, are approved.

Any air carrier party to the agreements, or any interested person, may, within 15 days from the date of service of this order, submit statements in writing containing reasons deemed appropriate, together with supporting data, in support of or in opposition to the Board's action herein. An original and nineteen copies of the statements should be filed with the Board's Docket Section. The Board may, upon consideration of any such statements filed, modify or rescind its action herein by subsequent order.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 66-3325; Filed, Mar. 28, 1966; 8:51 a.m.]

FEDERAL AVIATION AGENCY

[OE Docket No. 65-SO-9]

SCRIPPS-HOWARD BROADCASTING CO. AND TELEVISION STATION WPTV

Notice of Hearing

Notice is hereby given that, on April 19, 1966, the public hearing in the above subject matter will be reconvened at 9 a.m., in Conference Room 910A, Federal Aviation Agency, Headquarters Building, 800 Independence Avenue SW., Washington, D.C., for the purpose of obtaining rebuttal testimony in the matter.

Issued in Washington, D.C., on March 23, 1966.

GEORGE R. BORSARI,
Presiding Officer.

[F.R. Doc. 66-3303; Filed, Mar. 28, 1966; 8:49 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 16536, 16537; FCC 66M-412]

GORDON SHERMAN AND OMICRON TELEVISION CORP.

Order Scheduling Hearing

In re applications of Gordon Sherman, Orlando, Fla., Docket No. 16536, File No. BPCT-3529; Omicron Television Corp., Orlando, Fla., Docket No. 16537, File No. BPCT-3596; for construction permit for new television broadcast station (Channel 35).

It is ordered, This 22d day of March 1966, that Charles J. Frederick shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on May 23, 1966, at 10 a.m.; and that a prehearing conference shall be held on April 18, 1966, commencing at 9 a.m.; and,

It is further ordered, That all proceedings shall be held in the offices of the Commission, Washington, D.C.

Released: March 23, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-3330; Filed, Mar. 28, 1966; 8:51 a.m.]

[Docket Nos. 16388, 16389; FCC 66M-413]

D. H. OVERMYER COMMUNICATIONS CO. AND MAXWELL ELECTRONICS CORP.

Memorandum Opinion and Order Scheduling Prehearing Conference

In re applications of D. H. Overmyer Communications Co., Dallas, Tex., Docket No. 16388, File No. BPCT-3463; Maxwell Electronics Corp., Dallas, Tex., Docket No. 16389, File No. BPCT-3489; for construction permits.

1. The hearing in this proceeding is scheduled for June 13, 1966. In a letter dated March 18, 1966, counsel for D. H. Overmyer Communications Co. suggests the scheduling of certain formal and informal procedural dates. He states in said letter that counsel for Maxwell Electronics Corp. concurs in the proposed dates. Counsel for the Broadcast Bureau has informally advised the Hearing Examiner that he interposes no objections to the proposed procedural dates. Therefore, it is deemed appropriate that an order should issue respecting only the formal procedural dates.

Accordingly, it is ordered, This 23d day of March 1966, that the exchange of exhibits by all parties should be accomplished on or before May 16, 1966; that formal or informal requests for additional information from other counsel will be made by all counsel on or prior to May 23, 1966, and a further prehearing conference will be held June 6, 1966, 10 a.m., in the Commission's offices, Washington, D.C.

Released: March 23, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-3331; Filed, Mar. 28, 1966; 8:51 a.m.]

[Docket Nos. 16485, 16486; FCC 66M-417]

SOUTHWESTERN BELL TELEPHONE CO. AND HARRISONVILLE TELEPHONE CO.

Order Continuing Hearing

In re applications of Southwestern Bell Telephone Co., Docket No. 16485, File No. 1684-C2-P-65; for a construction permit to modify the facilities of Station KAA818 in the Domestic Public Land Mobile Radio Service at St. Louis, Mo.; Harrisonville Telephone Co., Docket No.

16486, File No. 6218–C2–P–65; for a construction permit to establish new facilities in the Domestic Public Land Mobile Radio Service at Waterloo, Ill.

The Hearing Examiner having under consideration the informal request filed herein on March 22, 1966, by Harrisonville Telephone Co. for continuance of the prehearing conference now scheduled for March 29, 1966;

It appearing, that all parties have consented to immediate consideration and grant of the said request and that good cause for a grant thereof is present in that an engineering amendment of the Harrisonville Telephone Co. application is to be submitted looking toward resolution of the proceeding without hearing;

It is ordered, This 22d day of March 1966 that the said request is granted and the prehearing conference herein presently scheduled for March 29, 1966, is continued to April 18, 1966, commencing at 9 a.m. in the offices of the Commission at Washington, D.C.;

It is further ordered, That the hearing herein presently scheduled for April 12, 1966, is continued to a date to be subsequently specified.

Released: March 23, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-3332; Filed, Mar. 28, 1966; 8:51 a.m.]

[Docket Nos. 15254, 15255; FCC 66R-108]

ULTRAVISION BROADCASTING CO. AND WEBR, INC.

Memorandum Opinion and Order Enlarging Issues

In re applications of Florian R. Burczynski, Stanley J. Jasinski and Roger K. Lund, doing business as Ultravision Broadcasting Co., Buffalo, N.Y., Docket No. 15254, File No. BPCT-3200; WEBR, Inc., Buffalo, N.Y., Docket No. 15255, File No. BPCT-3211; for construction permits for new television broadcast stations.

1. WEBR, Inc. (WEBR), petitions the Review Board to add qualifications issues against Ultravision Broadcasting Co. (Ultravision).[1] Ultravision moves to add qualifications issues against WEBR.[2]

2. This proceeding involves the mutually exclusive applications of WEBR and Ultravision for a new UHF television station at Buffalo, N.Y. The applications were designated for hearing by Order, FCC 63-1191, released December 31, 1963, on issues concerning Ultravision's financial qualifications and the standard comparative issue.

3. WEBR's motion to enlarge is predicated upon two grounds. WEBR alleges that Stanley Jasinski, a copartner of Ultravision, included a summary of a conversation with Sister Mary Angela O.S.F., President of Rosary Hill College, which conversation did not in fact take place. Secondly, the principals of Ultravision are also principals of Seaport Broadcasting Corp., licensee of WMMJ, Lancaster, N.Y. Allegedly, during the time the Seaport Corp.'s license application was being considered, two corporate stockholders sold their stock and withdrew from the management and operation of the corporation. This change of ownership was not timely reflected by an amendment of the application in compliance with § 1.65 of the Commission's rules. WEBR seeks enlargement of the issues to conform to the evidence; it represents that, in its view, the record is "now complete on the matters discussed herein." The Broadcast Bureau recommends addition of the requested issues.

4. WEBR includes with its pleading a program contact memorandum which was included as an exhibit at the hearing. The memorandum recites the facts of a conversation between Jasinski and Sister Mary Angela concerning a regular television program dealing with music and art to originate from the college. On direct examination, Jasinski stated that the discussion had taken place regarding the possible use of Rosary Hill College facilities. Sister Mary Angela testified on December 10, 1965,[3] and flatly denied that such a conversation had ever taken place. Jasinski did not testify after Sister Mary Angela. This direct conflict of testimony raises a question with respect to the accuracy of the exhibit, and the requested issue concerning this program contact will be added.

5. Originally, Anthony M. Glieco and Daniel N. Glieco each owned 7.9 percent of the Seaport Corp. stock. On March 20, 1964, the Gliecos' stock was sold and their stock subscriptions redeemed; and Anthony M. Glieco resigned as a corporate director. These facts were not reported by an amendment until July 1, 1964. Commission policy requires that applicants inform the Commission of important changes through timely amendments. This policy presently is incorporated in Rule 1.65. See Reporting Changed Circumstances, FCC 64-1037, 3 RR 2d 1622. The withdrawal of the Glieco brothers was a significant change of ownership which should have been timely reported to the Commission by means of an amendment, and an issue to determine the facts concerning this change and the effect thereof on Ultravision will be added.

6. In its petition to enlarge issues, Ultravision alleges failures of WEBR to comply with Rule 1.65;[4] to amend its application to show the participation of Messrs. Peter Andrews and Harold Gross in the preparation of its proposal; and to amend its application to reflect WEBR's interest in the Courier Cable Co., a Buffalo CATV company. Except for WEBR's failure to earlier disclose its interest in the CATV proposal, the matters alleged by Ultravision are not sufficient to raise a serious question as to WEBR's qualifications. The failure to disclose the CATV interest, however, involves a violation of Rule 1.65, and an issue to determine the effect thereof on WEBR's comparative qualifications will be added.

7. In view of the seriousness of the allegations concerning a false program contact report submitted to the Commission, an issue will be added to determine whether the facts adduced under issue (1)(a) below require that Ultravision be disqualified (see issue (1)(c)). The untimely reporting of information concerning the changes in the Seaport organization, which alone might merit only comparative consideration, will also be considered in conjunction with the basic qualifications issue as to Ultravision (see issues (1)(b) and (1)(c)). If the Examiner concludes that the evidence adduced pursuant to the basic qualifications issues does not warrant Ultravision's disqualification, such evidence may be considered under the alternative, comparative qualifications issue (see issue (1)(d)). Fidelity Radio, Inc., 1 FCC 2d 1145, 6 RR 2d 271 (1965); Policy Statement on Comparative Broadcast Hearings, 1 FCC 2d 393, 5 RR 2d 1901 (1965). The allegations concerning the untimely reporting of information by WEBR with respect to its interest in Courier Cable Co. are not sufficiently grave to require inquiry into WEBR's basic qualifications; however, as noted supra (par. 6) an issue to determine the extent to which the matter bears on WEBR's comparative showing will be added.

Accordingly, it is ordered, This 21st day of March 1966, that the Motions to Enlarge Issues, filed by WEBR, Inc., on December 17, 1965, and by Ultravision Broadcasting Co. on January 26, 1966, are granted and that the issues in this proceeding are enlarged by the addition of the following issues:

(1) (a) To determine whether Stanley Jasinski, copartner of Ultravision Broadcasting Co., wrote a false memorandum purporting to relate a conversation on March 16, 1965, with Sister Mary Angela, President of Rosary Hill College, concerning the use of the college facilities for the proposed television station and

[1] Before the Review Board are the following pleadings: (1) Motion to Enlarge issues, filed by WEBR, Inc., on Dec. 17, 1965; (2) Opposition to WEBR's Motion to Enlarge Issues, filed by Ultravision Broadcasting Co. on Jan. 10, 1966; (3) The Broadcast Bureau's Statement in Support of Motion to Enlarge Issues, filed Jan. 10, 1966; and (4) Reply to Opposition to Motion to Enlarge Issues, filed by WEBR, Inc., on Jan. 17, 1966.

[2] The Review Board also has the following pleadings before it for consideration: (1) Petition to Enlarge Issues, filed by Ultravision Broadcasting Co. on Jan. 26, 1966; (2) Opposition to Petition to Enlarge Issues, filed by WEBR, Inc., on Feb. 4, 1966; (3) the Broadcast Bureau's Opposition to Petition to Enlarge Issues, filed on Feb. 9, 1966; and (4) Reply to Oppositions to Petition to Enlarge Issues, filed by Ultravision Broadcasting Co. on Feb. 16, 1966.

[3] Good cause for the untimely filing of the present motion rests on the basis that the facts were developed on the examination of the principals of Ultravision during hearing sessions in December 1965.

[4] Rule 1.615, as distinguished from Rule 1.65, requires the timely reporting of ownership of broadcast stations and changes of ownership thereof.

to determine further whether Stanley Jasinski falsely testified with respect to the alleged conversation at the hearing in this proceeding;

(b) To determine whether the partners of Ultravision Broadcasting Co. failed to perform the responsibilities of continuing accuracy and completeness of information furnished in a pending application as required by Commission policy by their failure to amend the Seaport Broadcasting Corp. broadcast application to reflect changes in ownership after Anthony M. Glieco and Daniel N. Glieco dissassociated themselves from the corporation;

(c) To determine, in light of the evidence adduced pursuant to issues (1) (a) and (1) (b), whether Ultravision Broadcasting Co. has the requisite character qualifications to be a broadcast licensee of this Commission;

(d) To determine, if Issue (1) (c) is resolved favorably to Ultravision Broadcasting Co., whether the facts adduced pursuant to Issues (1) (a), and (1) (b) bear upon the comparative qualifications of Ultravision Broadcasting Co.

(2) (a) To determine whether WEBR, Inc., failed to perform the responsibilities of continuing accuracy and completeness of information furnished in a pending application as required by § 1.65 of the Commission's rules by its failure to include information concerning its acquisition of a CATV system known as the Courier Cable Co.;

(b) To determine whether the facts adduced pursuant to the foregoing issue bear upon the comparative qualifications of WEBR, Inc.

Released: March 22, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-3333; Filed, Mar. 28, 1966; 8:51 a.m.]

[Docket Nos. 15254, 15255; FCC 66M-418]

ULTRAVISION BROADCASTING CO. AND WEBR, INC.

Order Scheduling Prehearing Conference

In re applications of Florian R. Burczynski, Stanley J. Jasinski, and Roger K. Lund, doing business as Ultravision Broadcasting Co., Buffalo, N.Y., Docket No. 15254, File No. BPCT-3200; WEBR, Inc., Buffalo, N.Y., Docket No. 15255, File No. BPCT-3211; for construction permits for new television broadcast stations.

A further prehearing conference in the above-entitled proceeding will be held on Thursday, March 31, 1966, beginning at 10 a.m. in the offices of the Commission, Washington, D.C. The matters to be considered at said prehearing conference will include but will not be limited to those placed in issue in this proceeding by the Memorandum Opinion and Order of the Review Board (FCC 66R-108) dated March 21, 1966, released March 22, 1966.

It is so ordered This the 23d day of March 1966.

Released: March 24, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.D. Doc. 66-3334; Field, Mar. 28, 1966; 8:51 a.m.]

[Canadian Change List 210]

CANADIAN BROADCAST STATIONS

Changes, Proposed Changes, and Corrections in Assignments

MARCH 15, 1966.

Notification under the provisions of Part III, Section 2 of the North American Regional Broadcasting agreement.

List of changes, proposed changes and corrections in assignments of Canadian Broadcast Stations modifying appendix containing assignments of Canadian Broadcast Stations (Mimeograph No. 47214-3) attached to the recommendations of the North American Regional Broadcasting Agreement Engineering Meeting.

Call letters	Location	Power kw	Antenna	Schedule	Class	Expected date of commencement of operation
CJIB (now in operation with increased daytime power).	Vernon, British Columbia.	*940 kilocycles* 10 kwD/1 kwN	ND	U	II	
CHER (correction of call letters shown on List No. 208).	Sydney, Nova Scotia	*950 kilocycles* 10 kw	DA-1	U	III	
New	Winnipeg, Manitoba	*1190 kilocycles* 10 kw	DA-2	U	II	E.I.O. 3-15-67.
New (delete assignment).	Merritt, British Columbia.	*1230 kilocycles* 1 kwD/0.25 kw N.	ND	U	IV	
New	Powell River, British Columbia.	*1230 kilocycles* 1 kw	DA-2	U	IV	E.I.O. 3-15-67.
CKCR (assignment of call letters—NIO in operation).	Revelstoke, British Columbia	*1340 kilocycles* 0.25 kw	ND	U	IV	
New (delete assignment).	Montreal, Province of Quebec.	*1510 kilocycles* 50 kw	DA-2	U	II	

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-3329; Filed, Mar. 28, 1966; 8:51 a.m.]

FEDERAL POWER COMMISSION

[Docket No. G-3294, etc.]

C. O. HARDEY, ET AL.

Findings and Order After Statutory Hearing

MARCH 18, 1966.

Each of the Applicants listed herein has filed an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale and delivery of natural gas in interstate commerce, for permission and approval to abandon service, or a petition to amend an existing certificate authorization, all as more fully described in the respective applications and petitions (and any supplements or amendments thereto) which are on file with the Commission.

The Applicants herein have filed related FPC Gas Rate Schedules and propose to initiate or abandon, add or delete natural gas service in interstate commerce as indicated by the tabulation herein. All sales certificated herein are either equal to or below the ceiling prices established by the Commission's Statement of General Policy 61-1, as amended, or involve sales for which permanent certificates have been previously issued.

Vernon Taylor, Jr. (Operator), et al., Applicants in Docket No. G-5228, propose to continue the sale of natural gas heretofore authorized in said docket and made pursuant to Taylor, Vernon F., Inc., FPC Gas Rate Schedule No. 1. Said rate schedule will be redesignated as that of Applicants. The presently effective rate under said rate schedule is in effect subject to refund in Docket No. G-17319.[1] The predecessor filed a rate increase which is suspended in Docket No. RI64-571 [1] and not made effective. Applicants have filed an agreement and undertaking to assure the refund of any amounts collected in excess of the amount determined to be just and reasonable in said proceedings. Accordingly, Applicants will be substituted as respondents in said proceedings, the proceedings will be re-

[1] Consolidated with Docket No. AR64-1, et al.

designated and the agreement and undertaking will be accepted for filing in Docket No. G–17319.

After due notice, no petitions to intervene, notices of intervention, or protests to the granting of any of the respective applications or petitions in this order have been received.

At a hearing held on March 17, 1966, the Commission on its own motion received and made a part of the record in these proceedings all evidence, including the applications, amendments, and exhibits thereto, submitted in support of the respective authorizations sought herein, and upon consideration of the record,

The Commission finds:

(1) Each Applicant herein is a "natural-gas company" within the meaning of the Natural Gas Act as heretofore found by the Commission or will be engaged in the sale of natural gas in interstate commerce for resale for ultimate public consumption, subject to the jurisdiction of the Commission, and will, therefore, be a "natural-gas company" within the meaning of said Act upon the commencement of the service under the respective authorizations granted hereinafter.

(2) The sales of natural gas hereinbefore described, as more fully described in the respective applications, amendments and/or supplements herein, will be made in interstate commerce, subject to the jurisdiction of the Commission, and such sales by the respective Applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are subject to the requirements of subsections (c) and (e) of section 7 of the Natural Gas Act.

(3) The sales of natural gas by the respective Applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are required by the public convenience and necessity and certificates therefore should be issued as hereinafter ordered and conditioned.

(4) The respective Applicants are able and willing properly to do the acts and to perform the services proposed and to conform to the provisions of the Natural Gas Act and the requirements, rules and regulations of the Commission thereunder.

(5) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act and the public convenience and necessity require that the certificate authorizations heretofore issued by the Commission in Docket Nos. G–3294, G–5228, G–11122, G–12886, G–13633, G–19439, G–20294, CI60–439, CI60–590, CI61–538, CI61–938, CI61–1068, CI61–1069, CI61–1070, CI61–1611, CI62–587, CI62–1036, CI63–213, CI64–1507, CI65–385, CI65–472, CI65–1261, and CI66–276 should be amended as hereinafter ordered and conditioned.

(6) The sales of natural gas proposed to be abandoned by the respective Applicants, as hereinbefore described, all as more fully described in the tabulation herein and in the respective applications, are subject to the requirements of subsection (b) of section 7 of the Natural Gas Act, and such abandonments should be permitted and approved as hereinafter ordered.

(7) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the certificates of public convenience and necessity heretofore issued to the respective Applicants herein relating to the abandonments hereinafter permitted and approved should be terminated.

(8) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Vernon Taylor, Jr. (Operator), et al., should be substituted in lieu of Vernon F. Taylor, Inc., as respondents in the proceedings pending in Docket Nos. G–17319 and RI64–571, that said proceedings should be redesignated accordingly, and that the agreement and undertaking submitted by Vernon Taylor, Jr. (Operator), et al., should be accepted for filing in Docket No. G–17319.

(9) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the respective related rate schedules and supplements as designated or redesignated in the tabulation herein should be accepted for filing as hereinafter ordered.

The Commission orders:

(A) Certificates of public convenience and necessity are issued upon the terms and conditions of this order, authorizing the sales by the respective Applicants herein of natural gas in interstate commerce for resale, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary for such sales, all as hereinbefore described and as more fully described in the respective applications, amendments, supplements, and exhibits in this proceeding.

(B) The certificates granted in paragraph (A) above are not transferable and shall be effective only so long as Applicants continue the acts or operations hereby authorized in accordance with the provisions of the Natural Gas Act and the applicable rules, regulations, and orders of the Commission.

(C) The grant of the certificates issued in paragraph (A) above shall not be construed as a waiver of the requirements of section 4 of the Natural Gas Act or of Part 154 or Part 157 of the Commission's regulations thereunder, and is without prejudice to any findings or orders which have been or may hereafter be made by the Commission in any proceeding now pending or hereafter instituted by or against the respective Applicants. Further, our action in this proceeding shall not foreclose nor prejudice any future proceedings or objections relating to the operation of any price or related provisions in the gas purchase contracts herein involved. Nor shall the grant of the certificates aforesaid for service to the particular customers involved imply approval of all of the terms of the respective contracts, particularly as to the cessation of service upon termination of said contracts, as provided by section 7(b) of the Natural Gas Act. Nor shall the grant of the certificates aforesaid be construed to preclude the imposition of any sanctions pursuant to the provisions of the Natural Gas Act for the unauthorized commencement of any sales of natural gas subject to said certificates.

(D) The grant of the certificates issued herein on all applications filed after April 15, 1965, is upon the condition that no increase in rate which would exceed the ceiling prescribed for the given area by paragraph (d) of the Commission's Statement of General Policy 61–1, as amended, shall be filed prior to the applicable dates, as indicated by footnotes 3 and 11 in the attached tabulation.

(E) The certificates heretofore issued in Docket Nos. G–12886, G–13633, CI60–590, CI63–213, CI64–1507, CI65–472, CI65–1261, and CI66–276 are amended by adding thereto or deleting therefrom authorization to sell natural gas to the same purchasers and in the same areas as covered by the original authorizations, pursuant to the rate schedule supplements as indicated in the tabulation.

(F) The certificate heretofore issued in Docket No. G–11122 is amended by deleting therefrom authorization to sell natural gas from acreage assigned to Applicants in Docket Nos. CI60–590 and CI65–580; and the certificate heretofore issued in Docket No. CI61–538 is amended by deleting therefrom authorization to sell natural gas from acreage assigned to Applicants in Docket Nos. CI66–646 and CI66–647.

(G) The certificate heretofore issued in Docket No. CI62–1036 is amended by deleting therefrom authorization to sell natural gas from acreage assigned to Applicant in Docket No. CI66–644.

(H) The certificates heretofore issued in Docket Nos. G–3294, G–5228, G–19439, G–20294, CI60–439, CI61–938, CI61–1068, CI61–1069, CI61–1070, CI61–1611, and CI62–587 are amended by changing the certificate holders to the respective successors in interest as indicated in the tabulation herein.

(I) The certificate heretofore issued in Docket No. CI65–385 is amended by permitting Applicant to continue the service heretofore rendered by one of the coowners, Robert D. Gensch, who was previously covered under Applicant's certificate in said docket.

(J) Permission for and approval of the abandonment of service by the respective Applicants, as hereinbefore described and as more fully described in the respective applications herein are granted.

(K) Permission for and approval of the abandonment of service by Applicant in Docket No. CI66–87 is granted, the related certificate in Docket No. G–7150 is terminated and such authorization does not relieve Applicant of either its obligation to comply with the filing requirements required by Opinion No. 468, as modified by Opinion No. 468–A, or its obligation to make such refunds as may be ordered in Docket Nos. G–20400 and G–13983.

(L) Permission for and approval of the abandonment of service by Applicant in Docket No. CI66–609 is granted, the related certificate in Docket No. CI62–884 is terminated and such authorization does not relieve Applicant of either its obligation to comply with the filing requirements required by Opinion No. 468, as modified by Opinion No. 468–A, or its obligation to make such refunds as may be ordered in Docket No. RI63–273.

(M) The certificates heretofore issued in Docket Nos. G–4491, G–14902, CI62–679, CI63–309, CI63–321, CI63–534, CI64–549, CI64–691, and CI64–692 are terminated.

(N) Vernon Taylor, Jr. (Operator), et al., are substituted in lieu of Vernon F. Taylor, Inc., as respondents in the proceedings pending in Docket Nos. G–17319 and RI64–571, said proceedings are redesignated accordingly,[2] and the agreement and undertaking submitted by Vernon Taylor, Jr. (Operator), et al., is accepted for filing in Docket No. G–17319.

(O) Vernon Taylor, Jr. (Operator), et al., shall comply with the refunding and reporting procedure required by the Natural Gas Act and section 154.102 of the regulations thereunder, and the agreement and undertaking filed by them in Docket No. G–17319 shall remain in full force and effect until discharged by the Commission.

(P) The respective related rate schedules and supplements as indicated in the tabulation herein are accepted for filing; further, the rate schedules relating to the successions herein are redesignated and accepted, subject to the applicable Commission regulations under the Natural Gas Act to be effective on the dates as indicated in the tabulation herein.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

Docket No. and date filed	Applicant	Purchaser, field, and location	FPC rate schedule to be accepted		
			Description and date of document	No.	Supp.
G–3294 E 11–24–65	C. O. Hardey, et al. (successor to B. A. Hardey).	Panhandle Eastern Pipe Line Co., Hugoton Field, Stevens County, Kans.	B. A. Hardey, FPC GRS No. 3.	5	
			Supplement No. 1	5	1
			Notice of succession 11–22–65. [1]		
			Effective date: 4–1–65		
G–5228 E 12–30–65	Vernon Taylor, Jr. (Operator), et al. (successor to Vernon F. Taylor, Inc.).	Colorado Interstate Gas Co., Keys Field, Cimarron County, Okla.	Vernon F. Taylor, Inc., FPC GRS No. 1.	1	
			Supplement Nos. 1–3	1	1–3
			Notice of succession 12–29–65.		
			Assignment 12–15–65	1	4
			Effective date: 12–15–65		
G–12886 C 1–24–66 [2]	Kerr-McGee Corp	Michigan Wisconsin Pipe Line Co., Laverne Area, Harper County, Okla.	Amendment. 1–3–66 [3]	59	4
G–13633 D 1–21–66	Union Producing Co. (partial abandonment).	United Gas Pipe Line Co., Monroe Field, Union Parish, La.	Agreement 12–16–65 [4 5 6]	168	13
G–19439 E 11–24–65	C. O. Hardey, et al. (successor to B. A. Hardey).	Panhandle Eastern Pipe Line Co., Hugoton Field, Stevens County, Kans.	B. A. Hardey, FPC GRS No. 2.	4	
			Notice of succession 11–22–65. [1]		
			Effective date: 4–1–65		
G–20294 E 5–24–65	Braden-Deem, Inc., agent (Operator), et al., (successor to Braden Drilling, Inc.)	Panhandle Eastern Pipe Line Co., Carver-Robbins Field, Pratt County, Kans.	Braden Drilling, Inc., FPC GRS No. 1.	1	
			Supplement Nos. 1–2	1	1–2
			Notice of succession 9–3–65.		
			Effective date: 4–1–65		
CI61–439 E 5–24–65	do	do	Braden Drilling, Inc., FPC GRS No. 2.	2	
			Supplement Nos. 1–2	2	1–2
			Notice of succession 9–3–65.		
			Effective date: 4–1–65		
C CI60–590 [7] (G–11122) F 4–22–65 [2]	Harper Oil Co., et al. [8]	Colorado Interstate Gas Co., Laverne Field, Harper County, Okla.	Supplemental agreement 10–26–64.	8	7
			Supplemental agreement 3–15–65. [9]	8	8
CI61–538 D 1–17–66	Mayflo Oil Co	Transwestern Pipeline Co., and Northern Natural Gas Co., North Como Area, Beaver County, Okla.	Assignment 1–1–66 [10]	5	4
			Assignment 1–1–66 [6 10]	6	6
CI61–938 E 5–24–65	Braden-Deem, Inc., agent (Operator), et al. (successor to Braden Drilling, Inc.)	Panhandle Eastern Pipe Line Co., Carver-Robbins Field, Pratt County, Kans.	Braden Drilling, Inc., FPC GRS No. 3.	3	
			Supplement No. 1	3	1
			Notice of succession 9–3–65.		
			Effective date: 4–1–65		
CI61–1068 E 5–24–65	do	do	Braden Drilling, Inc., FPC GRS No. 5.	5	
			Supplement No. 1	5	1
			Notice of succession 9–3–65.		
			Effective date: 4–1–65		
CI61–1069 E 5–24–65	do	do	Braden Drilling, Inc., FPC GRS No. 4.	4	
			Supplement No. 1	4	1
			Notice of succession 9–3–65.		
			Effective date: 4–1–65		
CI61–1070 E 5–24–65	do	do	Braden Drilling, Inc., FPC GRS No. 6.	6	
			Supplement Nos. 1–2	6	1–2
			Notice of succession 9–3–65.		
			Effective date: 4–1–65		
CI61–1611 E 5–24–65	do	do	Braden Drilling, Inc., FPC GRS No. 7.	7	
			Supplement Nos. 1–2	7	1–2
			Notice of succession 9–3–65.		
			Effective date: 4–1–65		
CI62–587 E 1–20–66	Lawrence Tenk (successor to Calk, Inc.).	Consolidated Gas Supply Corp., Court House District, Lewis County, W. Va.	Calk, Inc., FPC GRS No. 2.	1	
			Supplement Nos. 1–2	1	1–2
			Notice of succession 1–19–66.		
			Assignment 10–1–65	1	3
			Effective date: 10–1–65		
CI63–213 C 1–25–66 [11]	Union Texas Petroleum, a division of Allied Chemical Corp. (Operator), et al.	El Paso Natural Gas Co., Basin Dakota Field, Rio Arriba County, N. Mex.	Supplemental agreement 12–22–65. [3]	65	5
CI64–1507 C 1–21–66 [2]	Continental Oil Co	Panhandle Eastern Pipe Line Co., Northeast Trail Field, Dewey County, Okla.	Amendatory agreement 11–29–65. [3]	285	3
CI65–385 E 1–10–66	Western Oil Fields, Inc., (Operator), et al. [12]	Cities Service Gas Co., Boggs Field, Barber County, Kans.	Assignment 11–19–65 [13]	12	10
			Effective date: 10–1–65		
CI65–472 C 1–28–66 [2]	Southern Union Production Co.	Michigan Wisconsin Pipe Line Co., Laverne Field, Harper County, Okla.	Amendatory agreement 10–29–65 [3]	14	3

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

See footnotes at end of table.

[2] Vernon Taylor, Jr. (Operator), et al.

Docket No. and date filed	Applicant	Purchaser, field, and location	FPC rate schedule to be accepted		
			Description and date of document	No.	Supp.
A CI65-580 (G-11122) F 12-22-64 6-4-65 [14]	Cabot Corporation [8]	Colorado Interstate Gas Co., Laverne Field, Harper County, Okla.	Contract 11-5-64 [15]	76	
			Contract 4-1-60	76	1
			Contract 8-7-56	76	2
			Supplemental agreement 3-8-57.	76	3
			Supplemental agreement 5-31-57.	76	4
			Supplemental agreement 5-19-65.[14]	76	5
CI65-1261 C 1-21-66 [11]	Humble Oil & Refining Co.	Kansas-Nebraska Natural Gas Co., Inc., Syracuse Field, Hamilton County, Kans.	Letter agreement 12-6-65.[3]	376	2
CI66-87 (G-7150) B 8-2-65	Gulf Oil Corp.	El Paso Natural Gas Co., Keystone Waddell and Keystone McKee Fields, Winkler County, Tex.	Notice of cancellation 7-30-65.[5 16]	[17] 13	
CI66-276 C 1-10-66 [11]	C. F. Raymond	El Paso Natural Gas Co., acreage in La Plata County, Colo.	Supplemental agreement 12-20-65.	2	2
CI66-518 A 12-20-65 [2]	Martin A. Samuelson, et al.	Arkansas Louisiana Gas Co., House and Camp Units, Haskell, and Pittsburg Counties, Okla.	Ratified 4-7-64 [18]	1	
			Contract 3-30-64	1	1
			Ratified 6-24-64 [18 19]	1	2
			Ratified 6-24-64 [18 20]	1	3
			Ratified 6-25-64 [18]	1	4
			Ratified 6-29-64 [18]	1	5
			Ratified 6-30-64 [3 18]	1	6
CI66-604 (G-4491) B 1-14-66	Dunn-Mar Oil & Gas Co.	Consolidated Gas Supply Corp., Cass District, Monongalia County, W. Va.	Notice of cancellation 1-13-66.[6 21]	1	1
CI66-609 (CI62-884) B 1-14-66	Austral Oil Co., Inc.	El Paso Natural Gas Co., Brown Bassett Field, Terrell County, Tex.	Notice of cancellation 1-13-66.[5 6]	[22] 16	13
CI66-623 (CI63-321) B 1-20-66	Lawrence Tenk	Consolidated Gas Supply, Troy District, Gilmer County, W. Va.	Notice of cancellation 1-19-66.[6 21]	[23] 4	2
CI66-624 A 1-20-66 [2]	Woods Petroleum Corp.	Panhandle Eastern Pipe Line Co., Southwest Como Field, Beaver County, Okla.	Contract 12-9-65	11	
CI66-625 A 1-20-66 [11]	Mesa Petroleum Co. (Operator), et al.	Northern Natural Gas Co., Gooch Field, Stevens County, Kans.	Contract 12-27-65 [3]	7	
CI66-626 (CI64-692) B 1-21-66	The Charles L. Hickman, et al. Oil Co.	Consolidated Gas Supply Corp., Central District, Doddridge County, W. Va.	Notice of cancellation 1-20-66.[6 21]	1	1
CI66-627 (CI63-309) B 1-21-66	Yost & Yost, Inc.	Consolidated Gas Supply Corp., Freemans Creek District, Lewis County, W. Va.	Notice of cancellation 1-20-66.[6 21]	1	1
CI66-628 (CI62-679) B 1-21-66	W. H. Mossor d.b.a. E. G. Waugh Oil & Gas Co.	do	Notice of cancellation 1-7-66.[5 6]	47	1
CI66-629 (CI64-691) B 1-21-66	Hays & Co., agent for Ferrell L. Prior, d.b.a. Prior Oil Co.	Consolidated Gas Supply Corp., Sheridan District, Calhoun County, W. Va.	Notice of cancellation 1-20-66.[6 21]	[24] 165	1
CI66-630 (CI64-549) B 1-21-66	Paul F. Starr, agent for B. W. Moore, et al.	Consolidated Gas Supply Corp., Tygart District, Wood County, W. Va.	Notice of cancellation 1-20-66.[6 21]	4	1
CI66-631 (CI63-534) B 1-21-66	Va Roy Hildreth, d.b.a. Va Roy Hildreth Drilling Co.	Consolidated Gas Supply Corp., Spencer District, Roane County, W. Va.	Notice of cancellation 1-20-66.[6 21]	6	2
CI66-635 A 1-21-66 [2]	Sinclair Oil & Gas Co. (Operator), et al.	Lone Star Gas Co., Nellie District North Field, Stephens County, Okla.	Contract 8-30-65 [3]	343	
CI66-637 (G-14902) B 1-21-66	do	Northern Natural Gas Co., Farnsworth Field, Ochiltree County, Tex.	Notice of cancellation 1-18-66.[5 6]	162	3
CI66-638 A 1-24-66 [11]	Gulf Oil Corp.	Cities Service Gas Co., Granite Wash Field, Hemphill County, Tex.	Contract 12-6-65 [3]	307	
CI66-639 A 1-24-66 [2]	Ashland Oil & Refining Co.	Cities Service Gas Co., Waynoka Field, Woodward and Woods Counties, Okla.	Contract 12-31-65 [3 25]	176	
CI66-642 A 1-24-66 [11]	Geosonic Corp. (Operator), et al.	United Fuel Gas Co., Smithville-Geary Field, Roane County, W. Va.	Contract 1-6-66 [3]	1	
A CI66-644 (CI62-1036) F 1-24-66	Pan American Petroleum Corp. (successor to Apache Corp.).	Cities Service Gas Co., Hugoton Field, Finney County, Kans.	Contract 1-23-62 [26]	428	
			Assignment 11-1-65 [27]	428	1
			Effective date: 11-1-65		
A CI66-646 (CI61-538) F 1-26-66	Malcolm Deisenroth, Jr. (successor to Mayflo Oil Co.).	Northern Natural Gas Co., North Como Area, Beaver County, Okla.	Contract 12-12-56 [28]	1	
			Letter agreement 12-27-60.	1	1
			Letter agreement 1-5-61.	1	2
			Letter agreement 2-21-61.	1	3
			Letter 8-25-61	1	4
			Compliance (undated) [29]	1	5
			Assignment 1-1-66 [30]	1	6
			Effective date: 1-1-66		
		Transwestern Pipeline Co., North Como Area, Beaver County, Okla.	Contract 8-5-60 [31]	2	
			Compliance (undated) [29]	2	1
			Assignment 1-1-66 [30]	2	2
			Effective date: 1-1-66		
A CI66-647 (CI61-538) F 1-26-66	John R. Crain (successor to Mayflo Oil Co.).	Northern Natural Gas Co., North Como Area, Beaver County, Okla.	Contract 12-12-56 [28]	1	
			Letter agreement 12-27-60.	1	1
			Letter agreement 1-5-61.	1	2
			Letter agreement 2-21-61.	1	3
			Letter 8-25-61	1	4
			Compliance (undated) [29]	1	5
			Assignment 1-1-66 [30]	1	6
			Effective date: 1-1-66		
		Transwestern Pipeline Co., North Como Area, Beaver County, Okla.	Contract 8-5-60 [31]	2	
			Compliance (undated) [29]	2	1
			Assignment 1-1-66 [30]	2	2
			Effective date: 1-1-66		
CI66-648 A 1-26-66 [11]	Humble Oil & Refining Co.	Tennessee Gas Transmission Co., Big Cypress Field, Tyler County, Tex.	Contract 1-14-66 [3]	387	
CI66-649 A 1-26-66 [11]	Pioneer Production Corp. (Operator), et al.	Northern Natural Gas Co., acreage in Lipscomb County, Tex.	Contract 12-21-65 [3]	32	
CI66-652 A 1-28-66 [2]	Eason Oil Co. (Operator), et al.	Lone Star Gas Co., Woolsey Field, Stephens County, Okla.	Contract 12-7-65 [3]	21	
CI66-653 A 1-27-66 [2]	Austral Oil Co., Inc., et al.	Arkansas Louisiana Gas Co., Arkoma Area, Atoka, Coal, Haskell, Hughes, Latimer, Le Flore, McIntosh, Muskogee, Okmulgee, Pittsburg, and Sequoyah Counties, Okla.; Franklin, Sebastian, and Logan Counties, Ark.	Ratified 11-15-65 [32]	27	
			Contract 3-30-64 [33]	27	1
			Letter agreement 3-30-64.[34]	27	2
			Supplemental agreement 4-15-64.[35]	27	3
			Supplemental agreement 11-2-64.[36]	27	4
			Letter agreement 1-5-65.[37]	27	5
			Supplemental agreement 5-27-65.[38]	27	6
			Supplemental agreement 9-9-65.[3 38]	27	7
CI66-654 A 1-27-66 [11]	H. L. Hawkins and H. L. Hawkins, Jr.	Texas Eastern Transmission Corp., East Provident City Field, Lavaca County, Tex.	Contract 11-10-65 [3]	18	

See footnotes at end of table.

Docket No. and date filed	Applicant	Purchaser, field, and location	FPC rate schedule to be accepted		
			Description and rate of document	No.	Supp.
CI66-656..... A 1-27-66 [3]	Earlsboro Oil & Gas Co., et al.	Cities Service Gas Co., Cherry Vale (Red Fork) Field, Grant County, Okla.	Contract 1-11-66 [3].....	5	-----
CI66-657..... A 1-27-66 [3]	Booker Oil Co.....	Arkansas Louisiana Gas Co., Deer Creek Field, Grant County, Okla.	Contract 12-20-65 [1].....	1	-----

[1] The properties of Mr. B. A. Hardey, deceased, were placed in the possession of his heirs, C. O. Hardey, et al.
[2] July 1, 1967, moratorium date pursuant to Commission's Statement of General Policy 61-1, as amended.
[3] Effective date: Date of initial delivery.
[4] Releases 40 acres from contract insofar as it pertains to the formations from the surface to the base of the Monroe Gas Rock Formation.
[5] Source of gas depleted.
[6] Effective date: Date of this order.
[7] Acreage involved was previously under 10-year leases held by Sunray DX Oil Co., and covered by its certificate in Docket No. G-11122 and related FPC GRS No. 138.
[8] By submittal of Sept. 20, 1965, Applicant amended its contract as provided (to provided for B.t.u. measurement) in Opinion No. 464.
[9] Deletes indefinite pricing provisions insofar as they pertain to the sale of gas from the subject acreage (C. F. Thomas No. 1 Unit).
[10] Assigns certain interests to Malcolm Deisenroth, Jr., and John R. Crain in Docket Nos. CI66-646 and CI66-647, respectively.
[11] Jan. 1, 1968, moratorium date pursuant to Commission's Statement of General Policy 61-1, as amended.
[12] Western has acquired the interest of a coowner which was previously covered under Applicant's certificate in Docket No. CI65-385.
[13] From Robert D. Gensch one of the coowners covered by Western's present certificate.
[14] Deletes indefinite pricing provisions insofar as they pertain to the sale of gas from the subject acreage (C. F. Thomas No. 1 Unit).
[15] Adopts terms of Cabot-Colorado Interstate contract of Apr. 1, 1960 (Supp. No. 1) which in turn adopts terms of Sunray-Colorado Interstate contract of Aug. 7, 1956 (Supp. No. 2).
[16] Declined in pressure—small remaining reserves make it uneconomical for either buyer or seller to install compression facilities.
[17] Rate of 15.7093 cents per Mcf in effect subject to refund in Docket No. G-20400; rate of 10.6008 cents per Mcf suspended in Docket No. G-13983.
[18] Ratifies and amends terms and conditions of basic contract between buyer and Steve Gose, et al., dated Mar. 30, 1964 (Supp. No. 1).
[19] Covers interest of Roger E. Kelly.
[20] Covers interest of Herbert S. Towne.
[21] Production of gas no longer economically feasible.
[22] Rate of 17.0 cents effective subject to refund in Docket No. RI63-273 (consolidated in Show Cause Proceeding, in Docket No. AR61-1, et al., issued Aug. 5, 1965).
[23] Rate schedule designated in the name of Calk, Inc. (predecessor).
[24] Formerly designated as Ferrell L. Prior d.b.a. Prior Oil Co. FPC GRS No. 36.
[25] Contract applicable to producing formations above the base of the Mississippian only.
[26] Basic contract between Apache Corp. and Cities Service Gas Co.; on file as Apache Corp. FPC GRS No. 6.
[27] Assignment from Apache Corp. to Pan American Petroleum Corp. of their interest in 160 acres.
[28] Also on file as Mayflo Oil Co. FPC GRS No. 6.
[29] Predecessor's compliance with Opinion No. 464 (B.t.u. proceeding).
[30] Conveys interest in No. 1-1 Turner Well from Mayflo Oil Co. to Malcolm Deisenroth, Jr., and John R. Crain.
[31] Also on file as Mayflo Oil Co. FPC GRS No. 5.
[32] Ratification of basic contract by Applicants (Austrial Oil Co., Inc., and Oil Participations Inc.).
[33] Basic contract between Arkansas Louisiana Gas Co. (buyer) and Steve Gose, et al. (seller).
[34] Amends basic contract with respect to annual contract volume and abandonment pressure.
[35] Ratification of basic contract by Wilshire Oil Co. of Texas and Camerina Petroleum Corp.
[36] Modifies basic contract provisions with respect to volume of gas taken from certain acreage in the Fish Creek area.
[37] Provides for a 3 cents per Mcf deduction for compression in the Pine Hollow-Arpelar Fields.
[38] Release of certain wells of other parties from basic contract for which certificate authorization has not been issued or applied for.

[F.R. Doc. 66-3188; Filed, Mar. 28, 1966; 8:45 a.m.]

[Docket No. E-7249]

CITY OF PARIS, KY., AND KENTUCKY UTILITIES CO.

Order Providing for Hearing

MARCH 21, 1966.

The city of Paris, Ky. (Paris), by formal complaint filed October 7, 1965, seeks an interconnection of its electric facilities with those of Kentucky Utilities Co. (Kentucky Utilities). This order directs a hearing on the issues raised by that complaint and the answer of Kentucky Utilities filed November 9, 1965.

As requested the interconnection would be between the electric system of Paris and 69 kv transmission facilities of Kentucky Utilities located within the city. Paris contemplates utilization of the requested connection primarily for its receipt of energy from the East Kentucky Rural Electric Cooperative Corp. (East Kentucky). Kentucky Utilities opposes the requested relief on factual and legal grounds including challenges to this Commission's jurisdiction.

Included within the documents accompanying the complaint of Paris are its contractual arrangements for electric service from East Kentucky and the contractual arrangements between East Kentucky and Kentucky Utilities for interconnection and coordination of their respective electric utility operations including use of the transmission facilities of either in completing deliveries of power and energy for the account of the other.[1]

All parties seek a hearing on the merits, prehearing settlement conferences having proved unsuccessful in resolving the issues here presented. Commission review of the complaint and answer indicates the need for development of a full factual record for purposes of assessing the substantive relief which the city seeks as well as the bases of Kentucky Utilities' objections including challenges as to this Commission's jurisdiction.

On January 5, 1966 the Public Service Commission of Kentucky filed a notice of intervention in this proceeding. To date representatives of East Kentucky have not petitioned for leave to intervene herein and it is not clear from the complaint and answer, as filed, whether formal service by the parties has been made on East Kentucky. As indicated hereafter we are directing the Commission's Secretary to complete that service.

The Commission finds: It is necessary and appropriate for the purposes of the Federal Power Act, particularly sections 201, 202, 205, 206, 301, 306, 307, 308, and 309 thereof that a public hearing be held on the issues raised in the complaint and answer as set forth above.

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by the Federal Power Act and pursuant to the rules of practice and procedure, a public hearing shall be held in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., at a time to be specified by the presiding examiner following the prehearing conference hereinafter directed.

(B) A prehearing conference shall be held before the presiding examiner commencing at 10 a.m., e.s.t., April 20, 1966, in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., for purposes as specified in the Commission's rules of practice and procedure.

(C) Kentucky Utilities is hereby directed pursuant to the provisions of the Federal Power Act, particularly sections 301, 306, 307, 308, and 309 thereof, to grant to the members of the staff of the Federal Power Commission during regular business hours free access to and opportunity to inspect and examine all facilities, properties, accounts, memoranda and other records of that Company when requested so to do by the staff for the purposes of the hearing ordered herein.

(D) Notices of intervention and petitions to intervene in this proceeding may be filed with the Federal Power Commission, Washington, D.C., 20426, on or before April 4, 1966, and in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37).

(E) Copies of the complaint of Paris and answer of Kentucky Utilities shall be served by the Commission's Secretary on East Kentucky.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[1] The East Kentucky-Kentucky Utilities contract is embodied in the company's rate schedule, FPC No. 73.

[F.R. Doc. 66-3279; Filed, Mar. 28, 1966; 8:48 a.m.]

[Docket No. RI66-310, etc.]

SUNSET INTERNATIONAL PETROLEUM CORP. ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates [1]

MARCH 18, 1966.

The Respondents named herein have filed proposed increased rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR, Chapter I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before May 4, 1966.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased Rate	Rate in effect subject to refund in docket Nos.
RI66-310	Sunset International Petroleum Corp. (Operator), et al., 8920 Wilshire Blvd., Beverly Hills, Calif., 90211.	25	4	Southern Union Gathering Co. (San Juan County, N. Mex.) (San Juan Basin Area).	$2,000	2-18-66	[2] 3-21-66	8-21-66	13.0	[3 4] 14.0	
RI66-311	Union Oil Co. of California, Union Oil Center, Los Angeles, Calif., 90017.	19	2	Natural Gas Pipeline Co. of America (Lips Field, Roberts County, Tex.) (R.R. District No. 10).	1,780	2-21-66	[5] 3-24-66	8-24-66	[7] 10.72	[3 6 7] 11.61	
RI66-312	Sun Oil Co., 1608 Walnut St., Philadelphia, Pa., 19103. Attn.: Mr. C. E. Webber.	125	3	Tennessee Gas Transmission Co. (Seeligson (Deep) Field, Jim Wells County, Tex.) (R.R. District No. 4).	15,131	2-21-66	[2] 3-24-66	8-24-66	17.24347	[3 8 9] 18.0	
	do	131	1	Tennessee Gas Transmission Co. (Donna Field, Hidalgo County, Tex.) (R.R. District No. 4).	908	2-21-66	[2] 3-24-66	8-24-66	17.24347	[3 8 9] 18.0	
	do	133	6	Tennessee Gas Transmission Co., (El Puerto, Pedernal, and Guerra Fields, Starr County, Tex.) (R.R. District No. 4).	6,430	2-21-66	[2] 3-24-66	8-24-66	17.24	[3 9] 18.0	
RI66-313	Shell Oil Co., 50 West 50th St., New York, N.Y., 10020.	132	13	Tennessee Gas Transmission Co., (Chesterville Field, (Colorado County, Tex.) (R.R. District No. 3).	10,512	2-23-66	[2] 3-26-66	8-26-66	[10 11] 14.6	[3 8 10] 15.5	
RI66-314	General American Oil Co. of Texas, Meadows Bldg., Dallas, Tex., 75206.	77	4	Transcontinental Gas Pipe Line Co., (Southeast Gueydan and Gueydan Fields, Vermilion Parrish, La.) (South Louisiana).	12,173	2-25-66	[2] 3-28-66	8-28-66	[12] 17.75	[3 4 12] 19.75	
RI66-315	A. O. Phillips (Operator), et al., 2507 Mercantile Bank Bldg., Dallas, Tex. 75201.	2	9	Texas Eastern Transmission Corp. (Englehart Field, Colorado Tex.) (R.R. District No. 3).	4,200	2-28-66	[2] 4-1-66	9-1-66	[13] 14.6	[3 6] 15.6	

[2] The stated effective date is the effective date proposed by Respondent.
[3] Periodic rate increase.
[4] Pressure base is 15.025 p.s.i.a.
[5] The stated effective date is the 1st day after expiration of the statutory notice.
[6] Pressure base is 14.65 p.s.i.a.
[7] Subject to a downward B.t.u. adjustment.
[8] "Fractured" rate increase. Seller contractually entitled to 18.24347 cents per Mcf.
[9] "Fractured" rate increase. Seller contractually entitled to 18.74 cents per Mcf.
[10] Includes 0.21931 cent per Mcf dehydration charge deducted by buyer for delivery of nondehydrated gas.
[11] Settlement rate approved by Commission order issued Aug. 1, 1962, in Docket Nos. G-9446, et al.
[12] Includes 1.75 cents per Mcf tax reimbursement.
[13] Settlement rate approved by Commission order issued Mar. 31, 1960, in Docket Nos. G-11439, et al.

Union Oil Co. of California (Union Oil) requests that its proposed rate increase be permitted to become effective as of March 21, 1966. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit an earlier effective date for Union Oil's rate filing and such request is denied.

Sun Oil Co. (Sun) proposes "fractured" rate increases to 18.0 cents per Mcf for gas sales permanently certificated in Opinion No. 422 issued March 23, 1964. Opinion No. 422 established an initial service rate of 16.0 cents in Texas Railroad District No. 4, involving contracts executed between September 28, 1960, and August 30, 1962, in lieu of the contractually provided higher initial rates. However, the Commission by its Opinion No. 422-A, issued May 27, 1964, stayed the effectiveness of the rate reduction requirements of Opinion No. 422 for a period of 30 days after conclusion of judicial review or until the order becomes final. Consistent with Opinion No. 422-A, Sun did not reduce its rate for these sales but continued to sell such gas at the contractually provided for initial rates. Sun is contractually entitled to periodic increases under the rate schedules involved to rates higher than the 18.0 cents rate proposed in its filings, but is limiting its increase so as not to exceed the 18.0 cents per Mcf moratorium provided by Opinion No. 422.

All of the proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's Statement of General Policy No. 61-1, as amended (18 CFR, Ch. I, Pt. 2, § 2.56).

[F.R. Doc. 66-3189; Filed, Mar. 28, 1966; 8:45 a.m.]

[1] Does not consolidate for hearing or dispose of the several matters herein.

[Docket No. RP65-49 etc.]

ATLANTIC SEABOARD CORP., ET AL.

Order Instituting Investigation, Providing for Hearing, Consolidating Proceedings and Permitting Interventions

MARCH 22, 1966.

Atlantic Seaboard Corp., Docket No. RP65-49; United Fuel Gas Co., Docket

No. RP66–2; Columbia Gulf Transmission Co., Docket No. RP66–22.

United Fuel Gas Co. (United Fuel) on July 20, 1965, tendered for filing Sixth Revised Volume No. 1 to its FPC Gas Tariff which became effective subject to hearing and refund order issued September 14, 1965, in Docket No. RP66–2. The revised tariff proposes basic changes in rates, charges, and classifications of service, which include a new winter service rate schedule and substantially alter the level of demand and commodity charges for service under the CDS Rate Schedule.

In support of the proposed filing, United Fuel filed the material required by § 154.63 of the Commission's regulations, reflecting its sales and operations during the test year ending May 31, 1965. Included among the costs claimed in United Fuel's cost of service is the adjusted amount of $45,644,943 for transportation of gas purchased by United Fuel in the State of Louisiana to United Fuel's facilities in Eastern Kentucky. These claimed transportation costs represent charges for such service rendered by Columbia Gulf Transmission Co. (Columbia Gulf), an affiliate of United Fuel in the Columbia Gas System. This transportation service is rendered by Columbia Gulf pursuant to a cost-of-service form of rate (Rate Schedule T–1) contained in its FPC Gas Tariff, Original Volume No. 1.[1]

Review of Columbia Gulf's charges as set forth in the material submitted by United Fuel, indicates that those charges are based, in part, on items in issue and subject to investigation and hearing in the Seaboard and United Fuel proceedings listed above. Among those issues are: (1) The use of straight-line depreciation instead of liberalized depreciation for tax purposes; (2) the inclusion of accumulated deferred taxes at 1.5 percent in the cost of capital computations of rate of return; (3) the use of a 6.5 percent rate of return; (4) the percentage of tax saving to be used in determining the effective rate; and (5) the propriety of the depreciation rates and depreciation expenses claimed.

Under the circumstances, it appears appropriate to institute an investigation into the lawfulness of Columbia Gulf's rates and charges and to consolidate such proceeding with the proceedings in Seaboard and United Fuel listed above.

In order to obviate filing of unnecessary petitions, we find it in the public interest, pursuant to our authority under section 15(a) of the Act, to grant leave to intervene in the Columbia Gulf proceeding to all parties who have been allowed to intervene in the Seaboard and United Fuel proceedings.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act, that an investigation be instituted into and concerning all rates, charges, or classifications demanded, observed, charged, or collected by Columbia Gulf for or in connection with any transportation or sale of natural gas, subject to the jurisdiction of the Commission, and any rules, regulations, practices, or contracts affecting such rates, charges or classifications.

The Commission orders:

(A) Under the authority of the Natural Gas Act, particularly sections 4 (a) and (b), 5, 9, 10, 14, 15, and 16, an investigation of Columbia Gulf is hereby instituted, and a public hearing is hereby provided, for the purpose of enabling the Commission to determine whether, with respect to any transportation or sale of natural gas, subject to the jurisdiction of the Commission, made or proposed to be made by Columbia Gulf, any of the rates, charges, or classifications demanded, observed, charged, or collected, or any rules, regulations, practices, or contracts affecting such rates, charges or classifications, are unjust, unreasonable, unduly discriminatory, or preferential.

(B) The proceedings hereby instituted (Docket No. RP66–22) are hereby consolidated with the proceedings in Docket Nos. RP65–49 and RP66–2 for the purposes of public hearings and decision on the matters and issues involved therein.

(C) Columbia Gulf, the Commission staff and interveners shall serve their direct testimony and exhibits in the Columbia Gulf proceeding upon the Presiding Examiner and all other parties as follows: (1) The Commission staff on or before April 22, 1966; (2) Columbia Gulf on or before May 6, 1966; and (3) the interveners on or before May 17, 1966.

(D) Each party which has been permitted to intervene in the proceedings in Docket Nos. RP65–49 and RP66–2, is hereby permitted to intervene in Docket No. RP66–22, subject to the rules and regulations of the Commission and subject to the provisions of our orders granting such prior interventions.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 66–3309; Filed, Mar. 28, 1966; 8:50 a.m.]

[Docket No. G–14101 etc.]

COLUMBIAN FUEL CORP., AND CITIES SERVICE OIL CO.

Order Approving Rate Settlement Proposal etc.

MARCH 10, 1966.

Columbian Fuel Corp., Docket Nos. G–14101, et al, Cities Service Oil Co., Docket Nos. G–202302, et al.

In the Order Approving Rate Settlement Proposal, Severing and Terminating Proceedings and Prescribing Refunds, issued December 8, 1965, and published in the FEDERAL REGISTER December 18, 1965 (F.R. Doc. 65–13419, 30 FR–15679), delete footnote "[15]" after Rate Schedule No. 62 in Appendix "A".

Delete Docket No. "RI62–49" and related dates in each column in "Appendix C".

JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 66–3310; Filed, Mar. 28, 1966; 8:50 a.m.]

[Docket No. CP66–291]

EL PASO NATURAL GAS CO.

Notice of Application

MARCH 22, 1966.

Take notice that on March 16, 1966, El Paso Natural Gas Co. (Applicant), Post Office Box 1492, El Paso, Tex., 79999, filed an application in Docket No. CP66–291 pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities, the acquisition from Southern Union Gas Co. (Southern Union) and operation of a segment of pipeline and the sale and delivery of natural gas to Southern Union, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that it and Southern Union have formulated a project for natural gas service to consumers situated in the community of Truth or Consequences, Sierra County, N. Mex., and environs, including the community of Williamsburg situated adjacent to Truth or Consequences, and to consumers situated in areas of Luna, Sierra and Dona Ana Counties, N. Mex., along the route of the proposed facilities of Applicant and Southern Union described in the application. These communities are proposed to be served by Southern Union from volumes of natural gas to be sold to it by Applicant.

Applicant proposes to construct and operate a measuring and regulating station at a point where Southern Union's proposed 4½-inch O.D. pipeline will interconnect with Applicant's California mainline system. Southern Union will construct and operate approximately 70.1 miles of the 4½-inch line, of which Applicant proposes to acquire approximately 11.2 miles extending from the measuring and regulating station.

The estimated annual and peak day natural gas requirements of Southern Union are 355,300 Mcf and 2,740 Mcf, respectively. The service is proposed to be initiated pursuant to Applicant's Rate Schedules A–2, B–3, and D–3, FPC Gas Tariff, Original Volume No. 1.

The estimated cost of the measuring and regulating station is $7,590, and the cost of the 11.2 miles of pipeline to be acquired is $112,180, which amounts will be financed from working funds.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before April 20, 1966.

[1] Columbia Gulf's FPC Gas Tariff, Original Volume No. 1, was initially accepted for filing and permitted to become effective as of Jan. 1, 1959, by order issued Feb. 12, 1959.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-3311; Filed, Mar. 28, 1966; 8:50 a.m.]

[Docket Nos. CS66-104, etc.]

M&G AND SCHNEIDER OIL CO., ET AL.

Notice of Applications for "Small Producer" Certificates [1]

MARCH 22, 1966.

Take notice that each of the Applicants listed herein has filed an application pursuant to section 7(c) of the Natural Gas Act and section 157.40 of the regulations thereunder for a "small producer" certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce from the Permian Basin area of Texas and New Mexico, all as more fully set forth in the applications which are on file with the Commission and open to public inspection.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before April 11, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on all applications in which no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter believes that a grant of the certificates is required by the public convenience and necessity. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

Docket No.	Date filed	Name of applicant
CS66-104	3-3-66	M&G and Schneider Oil Co., Post Office Box 96, Irsan, Tex.
CS66-105	3-3-66	Aurelia Spence, 3801 Newark St. NW., Washington, D.C., 20016.
CS66-106	3-4-66	Grover, MacCurdy & Hoffacker, c/o Malcolm R. MacCurdy, partner, 306 Midland National Bank Bldg., Midland, Tex., 79701.
CS66-107	3-4-66	Jake L. Hamon, 3900 Republic National Bank Tower, Dallas, Tex., 75221.
CS66-108	3-7-66	Texam Oil Corp., Box 1663, Midland, Tex., 79701.

[F.R. Doc. 66-3312; Filed, Mar. 28, 1966; 8:50 a.m.]

OFFICE OF EMERGENCY PLANNING

MINNESOTA

Notice of Major Disaster

Pursuant to the authority vested in me by the President under Executive Order 10427 of January 16, 1953, Executive Order 10737 of October 29, 1957, and Executive Order 11051 of September 27, 1962 (18 F.R. 407, 22 F.R. 8799, 27 F.R. 9683); Reorganization Plan No. 1 of 1958, Public Law 85-763, and Public Law 87-296; by virtue of the Act of September 30, 1950, entitled "An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes" (42 U.S.C. 1855-1855g), as amended; notice is hereby given of a declaration of "major disaster" by the President in his letter dated March 22, 1966, reading in part as follows:

I have determined that the situation in the areas adversely affected or threatened by major flooding which began on or about March 1, 1966, in the State of Minnesota, is of sufficient severity and magnitude to warrant Federal disaster assistance to supplement State and local efforts.

I do hereby determine the following areas in the State of Minnesota to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of March 22, 1966:

The counties of—

Aitkin.	Otter Tail.
Becker.	Pennington.
Cass.	Polk.
Clay.	Red Lake.
Crow Wing.	Roseau.
Kittson.	Sherburne.
Lake of the Woods.	Stearns.
Mahnomen.	Todd.
Marshall.	Wadena.
Morrison.	Wilkin.
Norman.	Wright.

Dated: March 22, 1966.

FRANKLIN B. DRYDEN,
Acting Director,
Office of Emergency Planning.

[F.R. Doc. 66-3253; Filed, Mar. 28, 1966; 8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[812-1928]

MAYFLOWER INVESTORS, INC.

Notice of Application for Order of Temporary Exemption

MARCH 23, 1966.

Notice is hereby given that Mayflower Investors, Inc. ("applicant"), 111 West Jackson Boulevard, Chicago, Ill., an Illinois corporation, has filed an application pursuant to section 6(c) of the Investment Company Act of 1940 ("Act") for an order of the Commission temporarily exempting it from the provisions of section 7 of the Act. Applicant, in requesting such temporary exemption, has agreed that applicant and other persons in their transactions and relations with it shall be subject to all other provisions of the Act and the respective rules and regulations promulgated under each of such provisions as though applicant were a registered investment company, other than the following: Section 8, subsections (f), (g), (h), and (i) of section 17, section 18 (except subsection (d) thereof), section 20(a), section 23, section 30 (except subsection (f) thereof), and section 31 of the Act, and the rules and regulations thereunder. All interested persons are referred to the application which is on file with the Commission for a statement of applicant's representations, which are summarized below:

On November 12, 1965, applicant filed an application pursuant to section 3(b)(2) of the Act for an order of the Commission declaring that it is not an investment company. Section 3(b)(2) provides that the filing of an application thereunder shall exempt the applicant for a period of 60 days from all provisions of the Act applicable to investment companies as such.

The 60-day period of exemption provided in section 3(b)(2) expired, in applicant's case, on January 11, 1966. Applicant, which has not registered as an investment company under the Act has asked that it be exempted as requested from January 11, 1966, until the Commission has acted upon the application under section 3(b)(2) of the Act.

Notice is further given that, in respect to the application pursuant to section 6(c) of the Act for an order of temporary exemption, any interested person may, not later than April 11, 1966, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reasons for such request, and the issues of fact or law proposed to be controverted or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon applicant at the

[1] This notice does not provide for consolidation for hearing of the several matters covered herein, nor should it be so construed.

address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0–5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing thereon shall be issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66–3294; Filed, Mar. 28, 1966; 8:49 a.m.]

UNITED SECURITY LIFE INSURANCE CO.

Order Suspending Trading

MARCH 23, 1966.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, $1 par value, of United Security Life Insurance Co., Birmingham, Ala., otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period March 24, 1966, through April 2, 1966, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66–3295; Filed, Mar. 28, 1966; 8:49 a.m.]

DEPARTMENT OF LABOR

Wage and Hour Division

CERTIFICATES AUTHORIZING EMPLOYMENT OF LEARNERS AT SPECIAL MINIMUM RATES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.), and Administrative Order No. 579 (28 F.R. 11524) the firms listed in this notice have been issued special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the act. The effective and expiration dates, occupations, wage rates, number or proportion of learners and learning periods, for certificates issued under general learner regulations (29 CFR 522.1 to 522.9), and the principal product manufactured by the employer are as indicated below. Conditions provided in certificates issued under the supplemental industry regulations cited in the captions below are as established in those regulations.

Apparel Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.20 to 522.25, as amended).

The following learner certificates were issued authorizing the employment of 10 percent of the total number of factory production workers for normal labor turnover purposes. The effective and expiration dates are indicated.

Ardmore Industries, Inc., Ardmore, Tenn.; effective 3–8–66 to 3–7–67 (men's and boys' sport shirts).

The Arrow Co., Jasper, Ala.; effective 3–10–66 to 3–9–67 (men's shirts).

Cay Artley Apparel, Inc., 232 Levergood Street and 389 Maple Avenue, Johnstown, Pa.; effective 3–16–66 to 3–15–67 (women's dresses).

Barnwell Garment Co., Erin, Tenn.; effective 3–2–66 to 3–1–67 (men's and boys' sport shirts).

Bishopville Manufacturing Co., Bishopville, S.C.; effective 3–18–66 to 3–17–67 (women's wash frocks).

Charldon Manufacturing Co., East Main Street, Charleston, Miss.; effective 3–3–66 to 3–2–67 (boys' sport shirts).

Chetopa Manufacturing Co., Inc., Chetopa, Kans.; effective 3–19–66 to 3–18–67 (men's work clothing).

Flint Rock Shirt Co., Inc., Marshall, Ark.; effective 3–6–66 to 3–5–67 (men's sport shirts and dress shirts).

Granby Manufacturing Co., Granby, Mo.; effective 3–1–66 to 2–28–67 (men's trousers).

Greer Shirt Corp., Post Office Box 390, Greer, S.C.; effective 3–4–66 to 3–3–67 (men's and boys' sport shirts).

Hortex Manufacturing Co., Inc., 100 South Cotton, El Paso, Tex.; effective 3–7–66 to 3–6–67 (boys' pants).

Huntington Manufacturing Co., 629 10th Street, Huntington, W. Va.; effective 3–24–66 to 3–23–67 (women's dresses).

Edward Hyman Co., Prentiss, Miss.; effective 3–15–66 to 3–14–67 (work pants and work shirts).

F. Jacobson & Sons, Inc., Monticello Road, Charlottesville, Va.; effective 3–9–66 to 3–8–67 (men's pajamas).

W. Koury Co., 633 Chatham Street, Sanford, N.C.; effective 3–1–66 to 2–28–67 (men's and boys' trousers and sport shirts).

The H. D. Lee Co., Inc., Lebanon, Mo.; effective 3–14–66 to 3–13–67 (men's and boys' work pants).

Loris Manufacturing Co., Plant No. 2, Loris, S.C.; effective 3–15–66 to 3–14–67 (learners may not be employed at special minimum wage rates in the manufacture of women's suits) (women's pants and shirts).

Monticello Manufacturing, Inc., Warren Street, Monticello, Ga.; effective 3–19–66 to 3–18–67 (men's and boys' pants).

Oberman Manufacturing Co., Harrison, Ark.; effective 3–10–66 to 3–9–67 (men's and boys' pants).

Peerless Sportswear Manufacturing Co., 120 Hazle Street, Wilkes-Barre, Pa.; effective 3–18–66 to 3–17–67 (men's and girls' slacks and shorts).

Pool Manufacturing Co., 1601 South Montgomery Street, Sherman, Tex.; effective 3–12–66 to 3–11–67 (men's work shirts and work pants).

Reidbord Brothers Co., Livingston Street, Elkins, W. Va.; effective 3–21–66 to 3–20–67 (work clothing).

Summerville Dress Co., Inc., 1 East North Street, Summerville, S.C.; effective 3–2–66 to 3–1–67 (children's dresses).

I. Taitel & Son, Drew, Miss.; effective 3–2–66 to 3–1–67 (men's and boys' outerwear jackets and pants).

Twin City Manufacturing Co., Twin City, Ga.; effective 3–7–66 to 3–6–67 (men's dress shirts and sport shirts).

Jack Winter Manufacturing Corp., Marianna, Ark.; effective 3–5–66 to 3–4–67 (men's and ladies' slacks).

The following learner certificates were issued for normal labor turnover purposes. The effective and expiration dates and the number of learners authorized are indicated.

Eileen Hope, Inc., Liverpool, Pa.; effective 3–10–66 to 3–9–67; 10 learners (women's dresses).

Knothe Brothers Co., Inc., 3605 Hickory Avenue, Baltimore, Md.; effective 3–3–66 to 3–2–67; 5 learners (men's pajamas).

Lady Jo., Inc., Uniontown, Ala.; effective 3–2–66 to 3–1–67; 10 learners. Learners may not be employed at less than the statutory minimum in the manufacture of skirts (ladies' blouses).

Margie-Kay Sportswear Co., 24 North Pennsylvania Avenue, Wilkes-Barre, Pa.; effective 3–1–66 to 2–28–67; 10 learners (women's and misses' dresses).

The Watson-Scott Co., Thomasville, Ga.; effective 3–15–66 to 3–14–67; 10 learners (men's work clothing).

The following learner certificates were issued for plant expansion purposes. The effective and expiration date and the number of learners authorized are indicated.

Ardmore Industries, Inc., Ardmore, Tenn.; effective 3–20–66 to 9–19–66; 100 learners (men's and boys' sport shirts).

The Arrow Co., Industrial Park, Huntingdon, Pa.; effective 3–9–66 to 9–8–66; 40 learners (men's sport shirts).

The Arrow Co., division of Cluett, Peabody & Co., Inc., Albertville, Ala.; effective 3–8–66 to 9–7–66; 100 learners (shirts).

Auburntown Industries, Auburntown, Tenn.; effective 2–28–66 to 8–27–66; 80 learners (men's and boys' sport shirts).

Barnwell Garment Co., Erin, Tenn.; effective 3–2–66 to 9–1–66; 80 learners (men's and boys' sport shirts).

Oshkosh B'Gosh, Inc., Columbia, Ky.; effective 3–8–66 to 9–7–66; 30 learners (men's and boys' dungarees).

Standard Romper Co., Inc., 321 Canco Road, Portland, Maine; effective 3–2–66 to 9–1–66; 35 learners (children's shirts).

Levi Strauss & Co., 802½ West Erwin Street, Tyler, Tex.; effective 3–8–66 to 9–7–66; 70 learners (men's and boys' jeans).

Levi Strauss & Co., 501 Travis Street, Wichita, Falls, Tex.; effective 3–1–66 to 8–31–66; 50 learners (men's and boys' pants).

Cigar Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.80 to 522.85, as amended).

Universal Cigar Corp., East Avenue at Turner Street, Clearwater, Fla.; effective 3–11–66 to 3–10–67; 10 percent of the total number of factory production workers for normal labor turnover purposes.

Glove Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.60 to 522.65, as amended).

Brookville Glove Manufacturing Co., Inc., 5–15 Western Avenue, Brookville, Pa.; effective 3–15–66 to 3–14–67; 10 learners for normal labor turnover purposes (work gloves).

The Monte Glove Co., Maben, Miss., and Pheba, Miss.; effective 3–10–66 to 9–9–66; 30 learners for plant expansion purposes (work gloves).

The Monte Glove Co., Maben, Miss., and Pheba, Miss.; effective 3-10-66 to 10-6-66; 10 learners for normal labor turnover purposes (work gloves) (replacement certificate).

Wells Lamont Corp., McGehee, Ark.; effective 3-7-66 to 3-6-67; 10 learners for normal labor turnover purposes (work gloves).

Hosiery Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.40 to 522.43, as amended).

Douglas Knitting Mills, 436 South Peterson Avenue, Douglas, Ga.; effective 3-8-66 to 3-7-67; 5 learners for normal labor turnover purposes (seamless).

Douglas Knitting Mills, 436 South Peterson Avenue, Douglas, Ga; effective 3-8-66 to 9-7-66; 10 learners for plant expansion purposes (seamless).

Knitted Wear Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.30 to 522.35, as amended).

Ashland Knitting Mills, Inc., Front and Chestnut Streets, Ashland, Pa.; effective 3-7-66 to 3-6-67; 5 percent of the total number of factory production workers for normal labor turnover purposes (ladies' and children's underwear).

Honaker Mills, Inc., Honaker, Va.; effective 3-4-66 to 3-3-67; 5 percent of the total number of factory production workers for normal labor turnover purposes (women's and misses' sleepwear).

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.9, as amended).

The following learner certificates were issued in Puerto Rico to the companies hereinafter named. The effective and expiration dates, learner rates, occupations, learning periods, and the number of learners authorized to be employed, are indicated.

Columbia Manufacturing Co., Apartado 333, San Lorenzo, P.R.; effective 2-21-66 to 8-30-66; 10 learners for normal labor turnover purposes in the occupation of sandblast-wash, point grinding, slot and fin milling, thread rolling, induction brazing, stamping, cylindrical grinding, inspection, skin packaging, each for a learning period of 480 hours at the rates of $1.05 an hour for the first 240 hours and $1.15 an hour for the remaining 240 hours (drills).

Hanro Corp., Calle A, Lote No. 8, Las Palmas Industrial Development, Catano, P.R.; effective 2-21-66 to 5-13-66; 5 learners for normal labor turnover purposes in the occupations of: (1) machine operating, coil winding, wire testing, each for a learning period of 480 hours at the rates of $1.10 an hour for the first 240 hours and $1.20 an hour for the remaining 240 hours; and (2) assembly line (positioning leads, insulating coil, taping harness, harnessing coil, twist leads, soldering, insulate No. 1 and insulate No. 2; harness subassembly), each for a learning period of 240 hours at the rate of $1.10 an hour (coils for electric motors).

J.S.L. Corp., Road No. 647, Km. 0.5, Barrio Bajura, Post Office Box 435, Vega Alta, P.R.; effective 4-12-66 to 7-19-66; 5 learners for normal labor turnover purposes in the single occupation of basic hand and/or machine production operations: Assembling of specialized precision aircraft-aerospace mechanic hand tools, for a learning period of 480 hours at the rates of $1.05 an hour for the first 240 hours and $1.15 an hour for the remaining 240 hours (aerospace hand tools).

Mohawk Products, Inc., Calle Comercio No. 66, Apartado 501, Aguadilla, P.R.; effective 2-21-66 to 6-30-66; 10 learners for normal labor turnover purposes in the occupations of: (1) Stitching machine operating, for a learning period of 320 hours at the rates of 68 cents an hour for the first 160 hours and 78 cents an hour for the remaining 160 hours; and (2) die and clicker machine operating, final inspecting, each for a learning period of 160 hours at the rate of 68 cents an hour (leather sport gloves).

Rio Grande Manufacturing Corp., Apartado 325, Rio Grande, P.R.; effective 2-21-66 to 10-24-66; 15 learners for normal labor turnover purposes in the occupation of sewing machine operating, final pressing, each for a learning period of 320 hours at the rate of 75 cents an hour (men's cotton shorts) (replacement certificate).

Rosita Mills, Inc., Apartado 846, Bayamon, P.R.; effective 2-17-66 to 7-19-66; 30 learners for plant expansion purposes in the occupations of: (1) Knitting, for a learning period of 480 hours at the rates of 88 cents an hour for the first 240 hours and $1.03 an hour for the remaining 240 hours; and (2) machine stitching, hand sewing, each for a learning period of 320 hours at the rates of 88 cents an hour for the first 160 hours and $1.03 an hour for the remaining 160 hours (full fashioned knitted outerwear).

Syncro International Corp., Road No. 30, Km. 15.1, Post Office Box DDD, Juncos, P.R.; effective 2-24-66 to 5-31-66; 20 learners for plant expansion purposes in the occupation of winding, welding, assembling, press operating, printing operator, furnace operator, each for a learning period of 480 hours at the rates of $1.10 an hour for the first 240 hours and $1.20 an hour for the remaining 240 hours (capacitors).

Each learner certificate has been issued upon the representations of the employer which, among other things, were that employment of learners at special minimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within 15 days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 522.9. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in 29 CFR 528.

Signed at Washington, D.C., this 18th day of March 1966.

ROBERT G. GRONEWALD,
Authorized Representative of the Administrator.

[F.R. Doc. 66-3293; Filed, Mar. 28, 1966; 8:49 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 153]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

MARCH 24, 1966.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules in Ex Parte No. MC 67 (49 CFR Part 240), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protest must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined, at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 20729 (Sub-No. 5 TA), filed March 21, 1966. Applicant: FREDDIE AHRENSTORFF, doing business as AHRENSTORFF TRANSFER, Lake Park, Iowa. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles, from plantsite of Monsanto Co., at or near Garner, Iowa, to points in Minnesota, Nebraska, and South Dakota, for 180 days. Supporting shipper: Monsanto Co., 800 North Lindbergh Boulevard, St. Louis, Mo., 63166. Send protests to: Carroll Russell, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 304 Post Office Building, Sioux City, Iowa, 51101.

No. MC 45736 (Sub-No. 22 TA), filed March 21, 1966. Applicant: GUIGNARD FREIGHT LINES, INC., Highway 21 North, Post Office Box 26067, Charlotte, N.C., 28206. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Common lime, and magnesium lime, hydrated and hydraulic, quick and slaked*, in packages, and *limestone, ground and pulverized* in packages, from the plantsite of Foote Mineral Co., at or near Kimballton, Va., to points in North Carolina, South Carolina, Georgia, and Hancock, Hawkins, Hamblen, Jefferson, Sevier, Cocke, Greene, Washington, Sullivan, Unicoi, Carter, and Johnson Counties, Tenn., for 180 days. Supporting shipper: Foote Mineral Co., Exton, Pa., 19341. Send protests to: Jack K. Huff, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 206, 327 North Tryon Street, Charlotte, N.C., 28202.

No. MC 107002 (Sub-No. 296 TA), filed March 21, 1966. Applicant: HEARIN-MILLER TRANSPORTERS, INC., U.S. Highway 80 West, Post Office Box 1123, Jackson, Miss., 39205. Applicant's representative: D. D. Kennedy (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle,

over irregular routes, transporting: *Chemical solvent* (Genesolv D), in bulk, in tank vehicles, from Baton Rouge, La., to Inglewood, Calif., for 120 days. Supporting shipper: Allied Chemical Corp., 40 Rector Street, New York, N.Y., 10006. Send protests to: Floyd A. Johnson, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 320 U.S. Post Office Building, Jackson, Miss., 39201.

No. MC 107496 (Sub-No. 459 TA), filed March 22, 1966. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third Street, Post Office Box 855, Des Moines, Iowa, 50309. Applicant's representative: H. L. Fabritz (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, from Des Moines, Irvington, and Mason City, Iowa, to points in Illinois, Iowa, Missouri, Nebraska, North Dakota, South Dakota, and Wisconsin, for 180 days. Supporting shipper: Tuloma Gas Products Co., Pan American Building, Post Office Box 566, Tulsa, Okla., 74102. Send protests to: Ellis L. Annett, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 227 Federal Office Building, Des Moines, Iowa, 50309.

No. MC 109689 (Sub-No. 173 TA), filed March 21, 1966. Applicant: W. S. HATCH CO., Office: 643 South 800 West Street, Woods Cross, Utah, 84087, Mail: Post Office Box 1825, Salt Lake City, Utah. Authority sought to operate as a *Common carrier*, by motor vehicle, over irregular routes, transporting: *Copper concentrates*, in bulk, from plantsite of Atlas Minerals Corp. near Moab, Utah, to Inspiration, Ariz., for 150 days. Supporting shipper: Atlas Minerals, division of Atlas Corp., First Security Building, Post Office Box 597, Salt Lake City, Utah, 84110. Send protests to: John T. Vaughan, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 2224 Federal Building, Salt Lake City, Utah, 84111.

No. MC 111748 (Sub-No. 11 TA), filed March 21, 1966. Applicant: WILLIAMS MOVING & STORAGE CO., INC., Tarkio, Mo. Applicant's representative: Carll V. Kretsinger, 510 Professional Building, Kansas City, Mo., 64106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carriers Certificates*, 61 M.C.C. 209 and 766 (except fats and oils, in bulk, in tank vehicles), from the plantsite of Missouri Beef Packers, Inc., at or near Phelps City, Mo., to points in Kansas, Nebraska, and Iowa. Restricted, against the transportation of hides to points in Iowa, for 150 days. Supporting shipper: Missouri Beef Packers, Inc., Box 129, Rock Port, Mo., 64482. Send protests to: B. J. Schreier, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1100 Federal Office Building, 911 Walnut, Kansas City, Mo., 64106.

No. MC 114734 (Sub-No. 12 TA), filed March 21, 1966. Applicant: D AND J TRANSFER CO., Sherburn, Minn. Applicant's representative: Charles J. Kimball, Box 2028, 605 South 14th Street, Lincoln, Nebr., 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meats and packinghouse products*, from the plantsite of Greenlee Packing Co., at or near Sioux Falls, S. Dak., to Minneapolis, Minn., Milwaukee and Madison, Wis., Decatur, Elgin, Rockford, and Kankakee, Ill., for 180 days. Supporting shipper: Spencer Packing Co., Spencer, Iowa. Send protests to: C. H. Bergquist, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 448 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn., 55401.

No. MC 123393 (Sub-No. 129 TA), filed March 21, 1966. Applicant: BILYEU REFRIGERATED TRANSPORT CORPORATION, Office: 2105 East Dale, Mail: Post Office Box 965, Commercial Station, Springfield, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, and articles distributed by meat packinghouses*, from Dodge City, Kans., to Springfield, Mo., and points in Ohio. (Applicant proposed to tack with its Subs 13, 16, and 35 at Springfield, Mo.), for 180 days. Supporting shipper: Hyplains Dressed Beef, Inc., Box 539, Dodge City, Kans., 67801. Send protests to: John V. Barry, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1100 Federal Office Building, 911 Walnut Street, Kansas City, Mo., 64106.

No. MC124083 (Sub-No. 26 TA), filed March 21, 1966. Applicant: SKINNER MOTOR EXPRESS, INC., 1035 South Keystone Avenue, Indianapolis, Ind., 46203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coke*, in bulk, in dump vehicles, from Indianapolis, Ind., to points in St. Louis County, Mo., for 180 days. Supporting shipper: Citizens Gas & Coke Utility, Indianapolis, Ind., 2020 North Meridian Street, 46202. Send protests to: R. M. Hagarty, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 802 Century Building, 36 South Pennsylvania Street, Indianapolis, Ind., 46204.

No. MC 126286 (Sub-No. 3 TA), filed March 21, 1966. Applicant: JOHN NIX, JR., Queen and Ferry Streets, Post Office Box 721, Albany, Oreg. Applicant's representative: Lawrence V. Smart, Jr., 419 Northwest 23d Avenue, Portland, Oreg., 226–3755. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from points in Linn, Benton, and Polk Counties, Oreg., to Portland and Coos Bay, Oreg., and Vancouver, Wash., for 180 days. Supporting shippers: Larson Lumber Co., Philomath, Oreg.; Clemens Forest Products, Inc., Philomath, Oreg.; Moser Lumber Co., Kings Valley, Oreg.; Schneider Lumber Co., Brownsville, Oreg.; Bauman Lumber Co., Lebanon, Oreg.; Tomco, Inc., Cascadia, Oreg.; B–J Lumber Co., Pedee, Oreg.; I. P. Miller Lumber, Inc., Dawson, Oreg.; and Edwards Bros. Construction Co., Albany, Oreg. Send protests to: A. E. Odoms, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 450 Multnomah Building, Portland, Oreg., 97204.

No. MC 126583 (Sub-No. 3 TA), filed March 21, 1966. Applicant: KOZY-MOVING & STORAGE, INC., 101 Benicia Road, Vallejo, Calif., 94594. Applicant's representative: Berol, Loughran & Geernaert, 100 Bush Street, San Francisco, Calif., 94104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods* as defined by the Commission, when moving on Government bills of lading, pursuant to section 22 rates on file for Travis Air Force Base, Calif., between points and places within 100 miles of Travis Air Force Base, Calif., for 180 days. Supporting shipper: Application is filed in order that applicant may bid on a Government contract restricted solely to small business concerns. Send protests to: Howard O. Gaston, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 450 Golden Gate Avenue, Box 36004, San Francisco, Calif., 94102.

No. MC 128029 TA, filed March 21, 1966. Applicant: DON PYLE, doing business as PYLE TRUCK LINE, Schaller, Iowa. Applicant's representative: Charles J. Kimbael, Box 2028, Lincoln, Nebr., 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Clay targets*, lead shot, shotgun shells and nonexplosive shell components, from St. Louis, Mo., to points in Iowa, for 180 days. Supporting shipper: Morris Gann, doing business as Midwest Shooters Supply, Schaller, Iowa. Send protests to: Carroll Russell, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 304 Post Office Building, Sioux City, Iowa, 51101.

Motor Carriers of Passengers

No. MC 52479 (Sub-No. 3 TA), filed March 22, 1966. Applicant: SUNNYLAND STAGES, INC., 528 West McDaniel, 510 St. Louis Street, Springfield, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, and express, and mail*, in same vehicles with passengers, from Spokane, Mo., to Branson, Mo., over U.S. Highway 65, Missouri Highways 148, 13, and 76, serving all intermediate points. (Carrier intends to tack its authority in MC 52479 at Spokane and Branson, Mo.), for 180 days. Supporting shipper: Silver Dollar City, Inc., Marvel Cave Park, Branson, Mo., 65616. Send protests to: John V. Barry, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1100

Federal Office Building, 911 Walnut Street, Kansas City, Mo., 64106.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-3320; Filed, Mar. 28, 1966; 8:51 a.m.]

FOURTH SECTION APPLICATION FOR RELIEF

MARCH 24, 1966.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 40370—*Joint motor-rail rates—Southern Motor Carriers.* Filed by Southern Motor Carriers Rate Conference, agent (No. 138), for interested carriers. Rates on property moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in southern territory, on the one hand, and points in middlewest and southwestern territories, on the other.

Grounds for relief—Motortruck competition.

Tariffs—Supplements 5 and 24 to Southern Motor Carriers Rate Conference, agent, tariffs MF-ICC 1312 and 1338, respectively.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-3322; Filed, Mar. 28 1966; 8:51 a.m.]

CUMULATIVE LIST OF CFR PARTS AFFECTED—MARCH

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during March.

1 CFR

	Page
Appendix A	4001
Appendix B	4989

3 CFR

	Page
PROCLAMATIONS:	
3705	3221
3706	3223
3707	4191
3708	4945
EXECUTIVE ORDERS:	
Dec. 18, 1878 (revoked in part by PLO 3946)	4348
May 27, 1885 (see PLO 3946)	4348
5237 (revoked in part by PLO 3948)	4348
5289 (revoked in part by PLO 3947)	4348
5361 (revoked by PLO 3944)	4282
5384 (revoked by PLO 3944)	4282
6583 (revoked in part by PLO 3940)	3495
11248 (amended by EO 11273)	4947
11273	4947

5 CFR

	Page
213	3283
	4101, 4271, 4385, 4445, 4579, 4684, 4771, 4953, 5043.
302	3381
337	3381
410	4873
550	4385, 4579
713	4271
870	3381

6 CFR

	Page
5	4101
322	4663

7 CFR

	Page
26	4949
42	4687, 4949
53	4873
58	4878
210	5002
301	4385-4388, 4501, 4579, 4712, 4714
354	4722
401	3225, 3335
410	3335
711	4271
717	4193
719	4580
722	4884
724	4197, 4343, 4580
729	4889, 5002
730	4106, 4889
751	3483, 4343
777	4271
778	4722, 5043
811	3283
851	4726
857	4197
862	5003
905	4106, 4344, 5007
906	4276, 4445
907	3445, 4344, 4446, 4726, 4889, 5007
908	3445, 4344, 4446, 4727, 4889, 5008
910	3446, 4345, 4727, 5009, 5043
967	4276
1001	3383
1002	3383
1003	3381, 3383
1004	3383
1011	3383
1015	3383
1016	3382, 3383
1030	3383
1031	3383
1032	3383
1033	3225
1034	3227
1036	3383
1038	3383
1039	3383
1041	3383
1043	3383
1044	3383
1045	3383
1051	3383
1062	3383
1063	3383
1064	3383
1070	3383
1071	3383
1078	3383
1079	3383
1094	3383
1097	3383
1098	3383
1099	3383
1102	3383
1103	3383
1106	3227, 3383
1108	3383
1126	3383
1130	5044, 5045
1132	3383
1138	3383
1407	4950
1421	3385, 3490, 4581
1427	3284, 4389
1438	4951
1468	4953
1472	4582, 4953
1483	4728
1486	3336
PROPOSED RULES:	
51	4806
52	3253, 5074
319	5074
910	5074
993	4895
1001	3465
1002	3465
1003	3294, 3465
1004	3465
1005	3465
1008	3465
1009	3465
1011	3465
1012	3465
1013	3465
1015	3465

28 CFR

Page

0 ... 3286, 5071
2 ... 4204

29 CFR

20 ... 4786
60 ... 3494
100 ... 4376
1505 ... 4786
1600 ... 4345

PROPOSED RULES:

548 ... 4149

31 CFR

PROPOSED RULES:

10 ... 4960
315 ... 5015

32 CFR

1 ... 4449
2 ... 4449
3 ... 4449
7 ... 4450
16 ... 4450
18 ... 4450
40 ... 4989
131 (superceded by Part 40) ... 4989
259 ... 4450
621 ... 4786
706 ... 4955
713 ... 4204
811 ... 4145
817 ... 4145
850 ... 4146
880 ... 4146
882 ... 4146
1001 ... 4590
1003 ... 4592
1007 ... 4592
1011 ... 4593
1016 ... 4593
1600 ... 4936
1622 ... 4893
2000 ... 4281

32A CFR

BDSA (Ch. VI) ... 4594
DMS Reg. 1, Amdt. 2 ... 4594
OIA (Ch. X):
OI Reg. 1 ... 5071

33 CFR

2 ... 4956
3 ... 4787
82 ... 4401
202 ... 3343, 3457
203 ... 4346, 4893
207 ... 3343, 4346

PROPOSED RULES:

401 ... 5018

36 CFR

7 ... 3457, 4996
251 ... 5072
500 ... 4512

PROPOSED RULES:

7 ... 3253

37 CFR

PROPOSED RULES:

1 ... 4412, 4969

38 CFR

1 ... 3459, 4959
3 ... 4346, 4347, 4680, 4681, 4789, 4790
17 ... 4116
36 ... 3459

39 CFR

17 ... 3286, 3462

39 CFR—Continued

Page

33 ... 4207
46 ... 4347
52 ... 3286
61 ... 4207, 4347
111 ... 4454
168 ... 4518
200 ... 3234, 3397, 4348

41 CFR

5–12 ... 3243
5–16 ... 3243
9–10 ... 4208
9–16 ... 4788
19–1 ... 3494
101–7 ... 4682
101–25 ... 3462, 4997
101–26 ... 4997
101–29 ... 4684
101–43 ... 3495, 4997
101–44 ... 5043
101–45 ... 4997, 5000
101–46 ... 4997
105–735 ... 4328

PROPOSED RULES:

Subpart 101–29.3 ... 4088

42 CFR

21 ... 4299
54 ... 3246
57 ... 4791
58 ... 4402
59 ... 4402

PROPOSED RULES:

66 ... 4969

43 CFR

PUBLIC LAND ORDERS:

498 (revoked by PLO 3957) ... 4834
1120 (revoked in part by PLO 3952) ... 4793
1173 (revoked by PLO 3956) ... 4794
1230 (revoked in part by PLO 3952) ... 4793
1508 (revoked by PLO 3951) ... 4793
1663 (revoked in part by PLO 3952) ... 4793
1692 (revoked in part by PLO 3939) ... 3495
1718 (revoked in part by PLO 3939) ... 3945
1902 (revoked in part by PLO 3952) ... 4793
2715 (revoked in part by PLO 3794 (corrected) ... 4893
3794 ... 4893
3938 ... 3248
3939 ... 3495
3940 ... 3495
3941 ... 3496
3942 ... 3496
3943 ... 3496
3944 ... 4282
3945 ... 4282
3943 ... 4348
3947 ... 4348
3948 ... 4348
3949 ... 4516
3950 ... 4792
3951 ... 4793
3952 ... 4793
3953 ... 4793
3954 ... 4794
3955 ... 4794
3956 ... 4794
3957 ... 4834

43 CFR—Continued

Page

PROPOSED RULES:

5400 ... 4805
5430 ... 4805
5440 ... 4805

45 CFR

73 ... 4644
112 ... 4403
113 ... 4405
114 ... 4894
116 ... 4299
171 ... 4795
301 ... 4801
401 ... 3244
502 ... 3245
600 ... 4595
801 ... 3286, 3464, 3497, 4599
1030 ... 4117, 4454

46 CFR

11 ... 4517
144 ... 4208
160 ... 4957
201 ... 3397
206 ... 3397
221 ... 4407
251 ... 3397
287 ... 3397
298 ... 4407

47 CFR

0 ... 4456, 4457
2 ... 3397
15 ... 3397, 4301
19 ... 4834
21 ... 4457, 4540
25 ... 3286
73 ... 3289, 3344, 4390, 4685, 4834
74 ... 4540
91 ... 4540
95 ... 4209

PROPOSED RULES:

1 ... 3403
17 ... 3302, 4972
31 ... 4303
33 ... 4303
34 ... 4303
35 ... 4303
73 ... 3348, 4303, 4738, 4807, 4845, 5078
74 ... 3305, 4847
97 ... 3407

48 CFR

203 ... 5009

49 CFR

0 ... 3344, 4519
1 ... 4599
95 ... 4685, 4686, 4802, 4803, 4840, 4894, 4957, 4958, 5014.
110 ... 3464
120 ... 4210
203 ... 4302
205 ... 3345, 3497, 4348, 4349

PROPOSED RULES:

71–79 ... 3408
170 ... 4849
176 ... 4460

50 CFR

28 ... 4411, 4958, 4959, 5014
32 ... 4804, 4894
33 ... 3345, 3346, 3400, 4107, 4210, 4349, 4519, 4894, 5014.

PROPOSED RULES:

33 ... 3402, 3466, 4107
250 ... 3466, 5072

FEDERAL REGISTER

VOLUME 31 • NUMBER 60

Tuesday, March 29, 1966 • Washington, D. C.

PART II

Federal Aviation Agency

•

Employee Responsibilities and Conduct

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER O—EMPLOYEE CONDUCT

[Reg. Docket No. 7245]

PART 199—EMPLOYEE RESPONSIBILITIES AND CONDUCT

This Part 199 implements the requirements of law, Executive Order 11222 of May 8, 1965 (30 F.R. 6469), and Part 735 of the Civil Service Commission regulations (30 F.R. 12529). It prescribes for employees and special Government employees of the Federal Aviation Agency standards of ethical and other conduct and reporting requirements that are appropriate to the particular functions and activities of the Agency.

Part 735 of the Civil Service Commission regulations (5 CFR Part 735) requires each Agency to submit implementing regulations to the FEDERAL REGISTER for publication following Commission approval.

This is a regulation of the Federal Aviation Agency but not part of the "Federal Aviation Regulations" contained in Subchapters A through K of this chapter which are essentially public safety regulations. Part 199 is an organizational regulation of the Agency and the definitions in Part 1 of this chapter do not apply to this part. Therefore this part is placed in a new Subchapter O of Chapter I of Title 14 of the Code of Federal Regulations.

In consideration of the foregoing, Chapter I of Title 14 is amended by adding a Subchapter O and a Part 199, effective upon publication in the FEDERAL REGISTER, as set forth below.

This regulation is issued and published under the authority of section 313(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1354); E.O. 11222 (30 F.R. 6469); and Part 735 of the Civil Service Commission regulations (5 CFR Part 735, 30 F.R. 12529).

Subpart A—General

Subpart B—Agency Regulations Governing Ethical and Other Conduct and Responsibilities of Employees

Subpart C—Agency Regulations Governing Ethical and Other Conduct and Resposibilities of Special Government Employees

Subpart D—Agency Regulations Governing Statements of Employment and Financial Interests

AUTHORITY: The provisions of this Part 199 issued under sec. 313(a), Federal Aviation Act of 1958 (49 U.S.C. 1354); E.O. 11222 (30 F.R. 6469); 5 CFR Part 735 (30 F.R. 12529).

Subpart A—General

§ 199.735–1 Purpose.

This part implements the requirements of Executive Order 11222 (30 F.R. 6469) and Part 735 of Chapter I of Title 5 of the Code of Federal Regulations (30 F.R. 12529). It prescribes for employees of the Federal Aviation Agency (FAA) standards of ethical and other conduct and reporting requirements that are appropriate to the particular functions and activities of the FAA.

§ 199.735–3 Definitions.

In this part:

(a) "FAA" means the Federal Aviation Agency.

(b) "Employee" means an individual who is an officer or employee of the FAA, but does not include a special Government employee or a member of the uniformed services.

(c) "Executive order" means Executive Order 11222 of May 8, 1965.

(d) "Person" means an individual, a corporation, a company, an association, a firm, a partnership, a society, a joint stock company, or any other organization or institution.

(e) "Special Government employee" means a "special Government employee" as defined in section 202 of Title 18 of the United States Code, who is employed by the FAA.

(f) "Member of the uniformed services" means a member of the "uniformed services" as defined in section 101(3) of Title 37 of the United States Code, who is appointed, assigned, or detailed to the FAA pursuant to section 302 of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1342, 1343).

§ 199.735–5 Applicability.

This part applies to each employee and special Government employee of the FAA.

§ 199.735–7 Interpretation and advisory service.

(a) The General Counsel of the FAA is designated FAA Counselor and serves as the Agency's designee to the Civil Service Commission on matters covered by this part and Part 735 of Chapter I of Title 5 of the Code of Federal Regulations. The FAA Counselor is responsible for coordination of the FAA's counseling services provided under paragraph (b) of this section and for assuring that counseling and interpretations on questions of conflicts of interest and other matters covered by this part and Part 735 of Chapter I of Title 5 of the Code of Federal Regulations are available to deputy counselors designated under paragraph (b) of this section.

(b) The following are designated Deputy Counselors for the purpose of providing authoritative counseling and interpretations to employees and special Government employees who request advice and guidance on questions of conflicts of interest and on other matters of legal import covered by this part—

(1) The Deputy General Counsel,

(2) The Associate General Counsel, General Legal Services Division, Office of the General Counsel,

(3) The Regional Counsel and Area Counsel in each Region, as appropriate, and

(4) The Aeronautical Center Counsel, and the NAFEC Counsel at the National Aviation Facilities Experimental Center (NAFEC).

(c) Counseling on other matters covered by this part will be provided by personnel specifically designated by Region and Center Directors and the Manager, Office of Headquarters Operations in accordance with procedures provided by the Associate Administrator for Personnel and Training.

§ 199.735–9 Review of statements.

(a) Statements of employment and financial interests submitted in accordance with § 199.735–55 or § 199.735–69 shall be reviewed by the designated receiving official, in consultation with the FAA Counselor or a Deputy Counselor, as appropriate.

(b) When a statement submitted indicates a conflict or a situation creating the appearance of a conflict, between the interests of an employee or special Government employee and the performance of his services for the Government, the employee or special Government employee concerned shall be given an opportunity to explain the matter. If the matter is resolved, the head of the orga-

nizational entity involved shall inform the FAA Counselor or a Deputy Counselor, as appropriate. If the matter cannot be satisfactorily resolved within the region, center, office, service, or bureau concerned, it shall be reported to the Administrator through the FAA Counselor for a final administrative decision. Such a report must include the employment and financial interest statement of the employee or special Government employee and an explanation of the circumstances which preclude settlement of the matter at the lower organizational level.

(c) After review of a statement of employment and financial interests has been fully completed, the receiving official shall ensure that it is filed as required by § 199.735–65.

§ 199.735–11 Disciplinary and other remedial action.

(a) A violation of this part by an employee or special Government employee may be cause for appropriate disciplinary action by the FAA which may be in addition to any penalty prescribed by law.

(b) When, after consideration of the explanation provided by the employee or special Government employee under § 199.735–9, the Administrator decides that remedial action is required, he shall take immediate action to end the conflicts or appearance of conflicts of interest. Remedial action may include, but is not limited to—

(1) Divestment by the employee or special Government employee of his conflicting interest;

(2) Disqualification for a particular assignment;

(3) Changes in assigned duties; or

(4) Disciplinary action.

Remedial action, whether disciplinary or otherwise, shall be taken in accordance with applicable laws, Executive order, and regulations. When remedial action is completed the head of the organizational entity to which the employee or special Government employee reports shall inform the FAA Counselor or a Deputy Counselor, as appropriate.

§ 199.735–13 Notification of violations.

(a) The Regional Compliance and Security Division, Staff, and Branch will be promptly advised of all apparent or verified violations of the regulations in this part within their Region or Center, and the final disposition of each case.

(b) The Office of Compliance and Security is to be promptly advised, in accordance with established procedures, of all apparent or verified violations of the regulations of this part, of investigations conducted, and of the final disposition of each case.

(c) The Director of Compliance and Security shall promptly report to the Administrator, in accordance with established procedures, all significant violations of the regulations of this part and shall keep the Administrator apprised of the current status or the final disposition of such cases.

Subpart B—Agency Regulations Governing Ethical and Other Conduct and Responsibilities of Employees

§ 199.735–21 Gifts, entertainment, and favors.

(a) Except as provided in § 199.735–23, no employee may solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment, food, lodging, refreshments, loan, or any other thing of monetary value, from a person or employer of a person who—

(1) Has, or is seeking to obtain, contractual or other business or financial relations with the FAA; or

(2) Conducts operations or activities which are regulated by the FAA; or

(3) Has interests that may be substantially affected by the performance or nonperformance of his official duties.

(b) Each employee shall avoid any action, whether or not specifically prohibited by this subpart, which might result in, or create the appearance of—

(1) Using public office for private gain;

(2) Giving preferential treatment to any person;

(3) Impeding Government efficiency or economy;

(4) Losing complete independence or impartiality;

(5) Making a Government decision outside official channels; or

(6) Affecting adversely the confidence of the public in the integrity of the Government.

(c) No employee may solicit contributions from another employee for a gift to an employee in a superior official position. No employee in a superior official position may accept a gift presented as a contribution from employees receiving less salary than himself. No employee may make a donation as a gift to an employee in a superior official position (5 U.S.C. 113).

(d) No employee may accept a gift, present, decoration, or other thing from a foreign government unless authorized by Congress as provided by the Constitution and in 5 U.S.C. 114–115a.

§ 199.735–23 Exceptions.

Notwithstanding § 199.735–21(a) an employee is permitted to—

(a) Accept a gift, gratuity, favor, entertainment, loan or other thing of monetary value when the circumstances make it clear that obvious family relationships (such as those between the parents, children, or spouse of the employee and the employee) rather than the business of the persons concerned are the motivating factors;

(b) Accept food or refreshments of nominal value on infrequent occasions in the ordinary course of a luncheon or dinner meeting, or other meeting, or on an inspection tour, when the employee's conduct of official FAA business will be facilitated by that meeting or tour and when no reasonable provision can be made for individual payment by the employee;

(c) Accept an invitation addressed to the FAA, when approved by the Administrator or Deputy Administrator of the FAA, for employees to participate in an inaugural flight or other ceremonial event related to the development of civil aeronautics, and accept food, lodging and entertainment incident thereto;

(d) Accept loans from banks or other financial institutions on customary terms to finance proper and usual activities of employees, such as home mortgage loans; or

(e) Accept unsolicited advertising or promotional material such as pens, pencils, note pads, calendars, and other items of nominal intrinsic value.

§ 199.735–25 Outside employment and other activities.

(a) No employee may engage in outside employment or other outside activity that is not compatible with the full and proper discharge of the duties and responsibilities of his official Government employment. Incompatible activities include, but are not limited to—

(1) Acceptance of a fee, compensation, gift, payment of expense, or any other thing of monetary value in circumstances in which acceptance may result in, or create the appearance of, conflicts of interest; or

(2) Outside employment which tends to impair his mental or physical capacity to perform his Government duties and responsibilities in an acceptable manner.

(b) No employee may receive any salary or anything of monetary value from a private source as compensation for his services to the Government (18 U.S.C. 209).

(c) Employees are encouraged to engage in teaching, lecturing, and writing that is not prohibited by law, Executive order, or this part. However, no employee may, either for or without compensation, engage in teaching, lecturing, or writing that is dependent on information obtained as a result of his Government employment, except when that information has been made available to the general public or will be made available on request, or when the Head of the Office, Service, Region, or Center concerned, gives written authorization for the use of nonpublic information on the basis that the use is in the public interest. In addition, no employee who is a Presidential appointee covered by section 401(a) of the order may receive compensation or anything of monetary value for any consultation, lecture, discussion, writing, or appearance the subject matter of which is devoted substantially to the responsibilities, programs, or operations of the FAA, or which draws substantially on official data or ideas which have not become part of the body of public information.

(d) No employee may engage in teaching, lecturing, or writing on matters within the FAA's mission, or use his official Agency title in connection therewith, without the prior approval of the employee's supervisor.

(e) Unless authorized by an appropriate exemption issued by the Deputy Administrator or a regional or center director, no employee may—

(1) Engage in the business of buying and reselling aircraft components, aircraft accessories, or aircraft; or

(2) Engage in a business involving the performance of research, engineering, construction, maintenance, repair, modification, piloting, or other related work with respect to aircraft, aircraft components, airborne electronics equipment or any other material or equipment associated with flight control or aircraft movements or air-ground communications, or engage in a business carrying on any other phase of commercial aviation.

(f) No employee may be a member of any non-FAA organization, committee, or group whose primary purpose or program is to promote matters within the purview of the FAA's responsibilities, if that membership involves, or may appear to involve, unethical use of the employee's official position or of information or resources to which the employee has access by reason of employment with the FAA. However, employees are not precluded from being members of organizations which have as a primary purpose the enhancement of the professional statute of their members, or of any employee organization as defined in Executive Order 10988.

(g) No employee may engage in outside employment under a State or local government, except in accordance with Part 734 of Chapter I of Title 5, Code of Federal Regulations.

(h) This section does not preclude an employee from—

(1) Receipt of bona fide reimbursement, unless prohibited by law, for actual expenses for travel and such other necessary subsistence as is compatible with this part for which no Government payment or reimbursement is made. However, an employee may not be reimbursed, and payment may not be made on his behalf, for excessive personal living expenses, gifts, entertainment or other personal benefits;

(2) Participation in the activities of national or State political parties not proscribed by law; or

(3) Participation in the affairs of or acceptance of an award for a meritorious public contribution or achievement given by a charitable, religious, professional, social, fraternal, nonprofit educational and recreational, public service, or civic organization.

§ 199.735–27 Financial interests.

(a) No employee may—

(1) Have a direct or indirect financial interest that conflicts substantially, or appears to conflict substantially, with his Government duties and responsibilities. A conflict of interest exists whenever the performance of the duties of an employee has, or appears to have, a direct and predictable effect upon a financial interest of the employee. The term "financial interest of the employee" includes the financial interest of the employee's relatives specified in § 199.735–59, and those of a partner, or a person or organization with which the employee is associated or is negotiating for future employment. When a substantial conflict does not exist, the Deputy Administrator or a regional or center director may issue an employee an exemption under the provisions of 18 U.S.C. 208.

(2) Engage in, directly or indirectly, a financial transaction as a result of, or primarily relying on, information obtained through Government employment.

(b) No employee, or relative specified in § 199.735–59, may own securities of, or maintain a proprietary or financial interest in, any enterprise engaging primarily in business of a civil aviation nature, except as may arise from investment in publicly offered investment trusts not specializing in aviation securities, or such as may exist for a reasonable period in connection with the settlement of an estate, unless the Deputy Administrator or a regional or center director has issued the employee an appropriate exemption.

(c) This section does not preclude an employee from having a financial interest or engaging in financial transactions to the same extent as a private citizen not employed by the Government so long as it is not prohibited by law, the Executive order, or the regulations of this part.

§ 199.735–29 Use of Government property and official titles.

No employee may directly or indirectly, use or allow the use of, Government property of any kind, including property leased to the Government, or use official titles and office addresses, for other than officially approved activities. Each employee has a positive duty to protect and conserve Government property, including equipment, supplies, and other property entrusted or issued to him.

§ 199.735–31 Misuse of information.

(a) For the purpose of furthering a private interest, no employee may, except as provided in § 199.735–25(c), directly or indirectly use, or allow the use of, official information obtained through or in connection with his Government employment which has not been made available to the general public.

(b) No employee may make any unauthorized disclosure of official FAA information.

§ 199.735–33 Indebtedness.

Each employee shall pay each just financial obligation in a proper and timely manner, especially one imposed by law such as Federal, State, or local taxes. For the purpose of this section, a "just financial obligation" means one recognized as such by the employee or reduced to a judgment by a court, and "in a proper and timely manner" means in a manner which the FAA determines does not, under the circumstances, reflect adversely on the Government as his employer. The FAA will not determine the validity or amount of a disputed debt and will not act to collect debts. Creditors and collectors shall be denied access to employees for the purpose of presenting or collecting claims during working hours.

§ 199.735–34 Gambling, betting, and lotteries.

No employee may, while on Government-owned or leased property or while on duty for the Government, participate in any gambling activity including the operation of a gambling device, in conducting a lottery or pool, in a game for money or property, or in selling or purchasing a numbers slip or ticket. However, this section does not preclude activities—

(a) Necessitated by an employee's law enforcement duties; or

(b) Under section 3 of Executive Order 10927 and similar FAA-approved activities.

§ 199.735–35 Canvassing, soliciting, or selling.

No employee while on Government property may engage in canvassing, soliciting, or selling activities for personal gain, or for any other unauthorized purpose.

§ 199.735–36 Use of intoxicants or narcotics.

No employee while on duty may use, consume, be under the influence of, or have in his possession, any intoxicating beverage or narcotic.

§ 199.735–37 General conduct prejudicial to the Government.

No employee may engage in criminal, infamous, dishonest, immoral, or notoriously disgraceful conduct, or other conduct prejudicial to the Government.

§ 199.735–38 Statutory prohibitions relating to bribery and conflicts of interest.

Appendix A of this part contains summaries of the prohibitions of Public Law 87–849 which relate to conflicts of interest. Excerpts from this statute relating to bribery and conflict of interest are set forth in Chapter 735 of the Federal Personnel Manual. However, for specific applications of the prohibitions to employees, reference should be made to the actual text of the statute.

§ 199.735–39 Miscellaneous statutory provisions.

Each employee shall acquaint himself with each statute that relates to his ethical and other conduct as an employee of the FAA and of the Government. The attention of each employee is directed to the following statutory provisions:

(a) The prohibition against an employee participating in any hearing or proceeding in which he has a pecuniary interest. (Sec. 1001, Federal Aviation Act (49 U.S.C. 1481).)

(b) House Concurrent Resolution 175, 85th Congress, 2d Session, 72 Stat. B12, the "Code of Ethics for Government Service."

(c) Chapter 11 of Title 18, United States Code, relating to bribery, graft, and conflicts of interest, as appropriate to the employees concerned. (See Chapter 735 of the Federal Personnel Manual.)

(d) The prohibition against lobbying with appropriated funds (18 U.S.C. 1913).

(e) The prohibitions against disloyalty and striking (5 U.S.C. 118p, 118r).

(f) The prohibition against the employment of a member of a Communist organization (50 U.S.C. 784).

(g) The prohibitions against (1) the disclosure of classified information (18 U.S.C. 793, 50 U.S.C. 733); and (2) the disclosure of confidential information (18 U.S.C. 1905).

(h) The provision relating to the habitual use of intoxicants to excess (5 U.S.C. 640).

(i) The prohibition against the misuse of a Government vehicle (5 U.S.C. 78c).

(j) The prohibition against the misuse of the franking privilege (18 U.S.C. 1719).

(k) The prohibition against the use of deceit in an examination or personnel action in connection with Government employment (5 U.S.C. 637).

(l) The prohibition against fraud or false statements in a Government matter (18 U.S.C. 1001).

(m) The prohibition against mutilating or destroying a public record (18 U.S.C. 2071).

(n) The prohibition against counterfeiting and forging transportation requests (18 U.S.C. 508).

(o) The prohibitions against (1) embezzlement of Government money or property (18 U.S.C. 641); (2) failing to account for public money (18 U.S.C. 643); and (3) embezzlement of the money or property of another person in the possession of an employee by reason of his employment (18 U.S.C. 654).

(p) The prohibition against unauthorized use of documents relating to claims from or by the Government (18 U.S.C. 285).

(q) The prohibition against proscribed political activities—The Hatch Act (5 U.S.C. 118i), and 18 U.S.C. 602, 603, 607, and 608.

Subpart C—Agency Regulations Governing Ethical and Other Conduct and Responsibilities of Special Government Employees

§ 199.735–41 Use of Government employment.

No special Government employee may use his Government employment for a purpose that is, or gives the appearance of being, motivated by the desire for private gain for himself or another person, particularly one with whom he has family, business, or financial ties.

§ 199.735–43 Use of inside information.

No special Government employee may use inside information obtained as a result of his Government employment for private gain for himself or another person either by direct action on his part or by counsel, recommendation, or suggestion to another person, particularly one with whom he has family, business, or financial ties. However, a special Government employee is not precluded from using inside information for the purpose of teaching, lecturing, or writing if the Head of the Office, Service, Region, or Center concerned gives written authorization for the use of such information on the basis that the use is in the public interest. For the purpose of this section, "inside information" means information obtained under Government authority which has not become part of the body of public information.

§ 199.735–45 Coercion.

No special Government employee may use his Government employment to coerce, or give the appearance of coercing, a person to provide financial benefit to himself or another person, particularly one with whom he has family, business, or financial ties.

§ 199.735–47 Gifts, entertainment, and favors.

(a) Except as provided in paragraph (b) of this section, no special Government employee, while employed by the FAA or in connection with his employment, may receive or solicit from a person having business with the FAA anything of value as a gift, gratuity, loan, entertainment, or favor for himself or another person, particularly one with whom he has family, business, or financial ties.

(b) The exceptions authorized for employees under § 199.735–23 apply to special Government employees.

§ 199.735–49 General standards of conduct and miscellaneous statutory provisions.

(a) Each special Government employee shall adhere to the standards of conduct set forth in Subpart B of this part in regard to employees, except the provisions of §§ 199.735–21 through 199.735–27.

(b) Each special Government employee shall acquaint himself with each statute referred to in § 199.735–39 that relates to his ethical and other conduct as a special Government employee of the FAA and of the Government. The FAA will bring to the attention of each special Government employee the provisions of Chapter 735 of the Federal Personnel Manual which explains the effect of the conflict of interest statutes on special Government employees. The FAA will follow the guidelines set forth in Chapter 735 for obtaining and utilizing the services of special Government employees. Accordingly, to avoid any contravention of section 208 of Title 18 of the U.S. Code, a special Government employee may not participate as such in a matter of any type the outcome of which will have a direct and predictable effect upon the financial interests covered by section 208 of the statute, unless an exemption has been issued to the special Government employee under section 208.

Subpart D—Agency Regulations Governing Statements of Employment and Financial Interests

§ 199.735–51 Employees required to submit statements.

Except as provided in § 199.735–53, the following employees shall submit statements of employment and financial interests on a form provided by the FAA—

(a) Employees paid at a level of the Federal Executive Salary Schedule established by the Federal Executive Salary Act of 1964, as amended.

(b) Employees above grade 15 of the General Schedule established by the Classification Act of 1949, as amended, or in comparable or higher positions not subject to that Act.

(c) Employees in hearing examiner positions as defined in § 930.202(c) of Chapter I of Title 5, Code of Federal Regulations.

(d) Positions (in grades GS–12 and above unless otherwise indicated) having duties and responsibilities which require the exercise of judgment in making or recommending a Government decision or in taking or recommending Government action in regard to:

(1) The administration, negotiation, award, monitoring, or inspection of contracts with private concerns, educational institutions, and other organizations to furnish supplies, services, equipment, or other materials (GS–9 and above for monitoring or inspection positions).

(2) The purchasing, leasing, or selling or otherwise disposing of supplies, services, and equipment or other materials other than common items available from FAA or GSA inventories (GS–9 and above).

(3) The auditing of FAA contracts; the auditing of projects sponsored by public agencies under the Federal Aid Airport Program; the examination of financial aspects of FAA contractor and concessionaire operations; and the examination of records concerning the financial capability of air carriers (GS–11 and above).

(4) The administration or monitoring of grants, subsidies, and the conveyance of land for public airport purposes.

(5) The inspection and certification of airmen, air carriers, commercial operators, and schools, and the airworthiness and maintenance of civil aircraft and related systems and components.

(6) The performance of any duties where the decision, influence, or action could reasonably have a substantial economic impact on the interests of any non-Federal enterprise.

Positions in the above categories may be excluded from the reporting requirement when it is determined by the jurisdictional review official designated under § 199.735–55 that the duties of a position are at such a level of responsibility that the submission of a statement of employment and financial interests by the incumbent is not necessary because of the degree of supervision and review over the incumbent and the remote and inconsequential effect on the integrity of the Government.

(e) Employees, regardless of grade or rank, occupying or serving in the following positions or on the following boards or committees—

(1) Hearing Officers;

(2) Deputy Director and Division Chiefs in Office of Compliance and Security; Compliance and Security Divi-

sion, Staff, and Branch Chiefs in field organizations;

(3) Managers, WNA and DIA;

(4) Division and Assistant Division Chiefs attorneys; enforcement, procurement, airports, and field attorneys;

(5) Chiefs of EMDO, GADO, ACDO, FSDO, and FIDO;

(6) Agency Regulatory Council members; and

(7) Agency Board of Contract Appeals members.

§ 199.735–53 Employees not required to submit statements.

A statement of employment and financial interests is not required by this subpart from the Administrator of the FAA, who is subject to separate reporting requirements under section 401(a) of the Executive order.

§ 199.735–55 Time and place for submission of employees' statements.

(a) An employee subject to the reporting requirements of § 199.735–51 shall submit, on a form provided by FAA, an employment and financial interest statement not later than—

(1) 90 days after the effective date of this part if employed on or before that date; or

(2) 30 days after entering on duty, but not earlier than 90 days after the effective date, if appointed after that effective date.

(b) Employees in FAA Headquarters who are subject to the reporting requirements of § 199.735–51 shall submit a statement of employment and financial interests, including supplements thereto, as follows:

(1) The Deputy Administrator and employees in the office of the Administrator shall submit their statements to the Administrator for review.

(2) The Associate Administrators, the General Counsel, and the other Service Directors (Office, Service, Bureau and Council heads) who report directly to the Administrator, and their deputies, shall submit their statements to the Deputy Administrator for review.

(3) The Service Directors who report to an Associate Administrator, and their deputies, shall submit their statements for review to the Associate Administrator to whom they report.

(4) Other employees shall submit their statements to their respective Service Directors for review.

(c) Employees in the Regions and Centers who are subject to the reporting requirements of § 199.735–51 shall submit a statement of employment and financial interests, including supplements thereto, as follows:

(1) Regional and Center Directors, including the Assistant Administrator, Europe, Africa, Middle East Region) shall submit their statements to the Deputy Administrator for review.

(2) Other employees shall submit their statements to those review officials designated in writing by the Regional and Center Directors. Officials so designated shall not be of lesser rank than Division Chief or Area Manager and shall be responsible for reviewing the statements of their subordinates.

§ 199.735–57 Supplementary statements.

Each employee shall report changes in, or additions to, the information contained in an employee's statement of employment and financial interests, in a supplementary statement at the end of the quarter in which the changes occur. Quarters end March 31, June 30, September 30, and December 31. If there are no changes, or additions in a quarter, a negative report is not required. However, for the purpose of annual review, a supplementary statement, negative or otherwise, is required as of June 30 each year.

§ 199.735–59 Interests of employees' relatives.

The interest of a spouse, minor child, or other member of an employee's immediate household is considered to be an interest of the employee. For the purpose of this section, "member of an employee's immediate household" means those blood relations who are residents of the employee's household.

§ 199.735–61 Information not known by employee.

If any information required to be included on a statement of employment and financial interests or supplementary statement, including holdings placed in trust, is not known to the employee but is known to another person, the employee shall request that other person to submit information in his behalf.

§ 199.735–63 Information not required.

This subpart does not require an employee to submit on a statement of employment and financial interests or supplementary statement any information relating to the employee's connection with, or interest in, a professional society or a charitable, religious, social, fraternal, recreational, public service, civic, or political organization or a similar organization not conducted as a business enterprise. For the purpose of this section, educational and other institutions doing research and development or related work involving grants of money from or contracts with the Government are considered "business enterprises" and are required to be included in an employee's statement of employment and financial interests.

§ 199.735–65 Confidentiality of employees' statements.

(a) Each statement of employment and financial interests, and each supplemental statement, shall be held in confidence. Information from a statement shall not be disclosed to any unauthorized person or for other than FAA review for conflicts of interest purposes, except as the Civil Service Commission, or the Administrator or his designee, may determine for good cause shown.

(b) Each statement of employment and financial interests, and each supplemental statement, shall be maintained in a file by the receiving official designated under § 199.735–55.

§ 199.735–67 Effect of employees' statements on other requirements.

The statements of employment and financial interests and supplementary statements required of employees are in addition to, and not in substitution for, or in derogation of, any similar requirement imposed by law, order, or regulation. The submission of a statement or supplementary statement by an employee does not permit him or any other person to participate in a matter in which his or the other person's participation is prohibited by law, order, or regulation.

§ 199.735–69 Specific regulations for special Government employees.

(a) Each special Government employee who is employed as an expert or consultant shall submit to the head of his servicing personnel unit a statement of employment and financial interests. The statement shall be submitted on a form provided by the FAA.

(b) Each special Government employee who is not employed as an expert or consultant shall submit to the servicing personnel unit a statement of employment and financial interests on a form provided by the FAA, unless an appropriate waiver is issued by the regional or center director or Manager of Headquarters Operations, as appropriate, based upon a finding (made in consultation with jurisdictional office and service heads) that the duties of the position held by that special Government employee are of a nature and at such a level of responsibility that the submission of a statement by the incumbent is not necessary to protect the integrity of the Government.

(c) For the purpose of this section, "consultant" and "expert" have the meanings given these terms by Chapter 304 of the Federal Personnel Manual, but do not include—

(1) A physician, dentist, or allied medical specialist whose services are procured to provide care and service to patients; or

(2) A veterinarian whose services are procured to provide care and service to animals.

(d) A statement of employment and finanical interests required to be submitted by this section shall be submitted not later than the time of employment of the special Government employee. Each special Government employee shall keep his statement current thorughout his employment with the FAA by the submission of supplemental statements.

(e) Each statement of employment and financial interests, and each supplemental statement of a special Government employee, shall be held in confidence and maintained in the same manner as prescribed for statements submitted by employees.

This Part 199 was approved by the Civil Service Commission on January 25, 1966.

Issued in Washington, D.C., on March 23, 1966.

WILLIAM F. MCKEE,
Administrator.

APPENDIX—CONFLICT OF INTEREST PROHIBITIONS IMPOSED BY STATUTE

The following are summaries of the main prohibitions of PL 87-849 which relate to conflicts of interest. Conviction for violation of these statutory prohibitions can result in fine of up to $10,000 and imprisonment up to 2 years and disqualification from holding Federal office, in some cases. For specific application of these prohibitions, reference should be made to the actual language of the code sections cited:

a. An officer or employee may not solicit or receive compensation for services rendered on behalf of another person before a Government department or agency in relation to any particular matter in which the United States is a party or has a direct and substantial interest. The "particular matter" includes, but is not limited to, any proceedings, application, request for ruling or other determination, contract, claim, controversy, charge, accusation, or arrest. (18 U.S.C. 203)

b. An officer or employee may not act as agent or attorney for prosecuting a claim against the United States, including a claim in court, whether for compensation or not. Nor may he receive a gratuity, or a share or interest in any such claim, for assistance in the prosecution thereof. An officer or employee is also prohibited from acting as agent or attorney for anyone else before a department, agency or a court in connection with any particular matter in which the United States is a party or has a direct and substantial interest. (18 U.S.C. 205)

c. However, an officer or employee, if it is not inconsistent with the performance of his duties, may act without compensation as agent or attorney for any person in a disciplinary, loyalty, or other personnel matter. He may also act, with or without compensation, as agent or attorney for his parents, spouse, child, or a person whom or estate which he serves as fiduciary, except in those matters in which he has participated personally and substantially as a Government employee or which are the subject of his official responsibility, and only if the personnel officer responsible for appointment to his position approves. An officer or employee is not prevented from giving testimony under oath or from making statements required to be made under penalty for perjury or contempt (18 U.S.C. 205).

d. An officer or employee may not participate personally and substantially in his governmental capacity in any matter in which he, his spouse, minor child, outside business associate or person with whom he is negotiating for employment, has a financial interest. However, an officer or employee may be exempted from the prohibition if he advises the head of his office or service in which he is employed of the nature of the Government matter involved and makes a full disclosure of the financial interests and receives in advance a written determination by that official that the financial interest is not so substantial as to be deemed likely to affect the integrity of the services which the Government may expect from the officer or employee (18 U.S.C. 208).

e. An officer or employee may not, after his Government employment has ended, represent anyone other than the United States in connection with a matter in which the United States is a party or has an interest and in which he participated personally and substantially for the Government (18 U.S.C. 207(a)). An officer or employee may not, for 1 year after his Government employment has ended, appear personally before any court or Government department or agency as agent or attorney for anyone other than the United States in connection with any matter in which the United States is a party or has an interest and which was under his official responsibilities as a Government officer or employee at any time within a period of 1 year prior to the termination of such employment (18 U.S.C. 207(b)). As an exception to these post-employment restrictions, a former officer or employee with outstanding scientific and technological qualifications may act as attorney or agent or appear personally in connection with a matter in a scientific or technological field if the head of the Government department or agency concerned makes a certification in writing, and published in the FEDERAL REGISTER, that the national interest would be served by such action or appearance by the former officer or employee (18 U.S.C. 207(b)).

f. An officer or employee may not receive any salary, or supplement to his Government salary, from a private source as compensation for his services to the Government (18 U.S.C. 209(a)). However, he is not prevented from continuing to participate in a bona fide pension, retirement, group life, health or accident insurance, profit sharing, stock bonus, or other employee welfare or benefit plan maintained by a former employer (18 U.S.C. 209(b)). Nor is the acceptance of contributions, awards, or other expenses under the terms of the Government Employees Training Act (PL 85-507, 72 Stat. 327, 5 U.S.C. 2301-2319, July 7, 1958) prohibited (18 U.S.C. 209(d)).

[F.R. Doc. 66-3306; Filed, Mar. 28, 1966; 8:50 a.m.]